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WASHINGTON POST
18 May 1973

Symington Doubts Nixon Was Unaware of CIA Role

By William Claiborne
Washington Post Staff Writer

Sen. Stuart Symington (D-Mo.) said yesterday he finds it hard to believe that President Nixon was unaware of attempts by senior White House officials to use the Central Intelligence Agency to cover up the Watergate scandal.

Symington expressed his doubts after listening to three more hours of testimony before the Senate Armed Services Committee by present and former CIA officials.

He recalled his own experience on the National Security Council in 1950-51, and observed: "It is hard for me to visualize that he (Mr. Nixon) knew nothing about it." Sen. Henry Jackson (D-Wash.) expressed a similar view.

The witnesses before the committee yesterday were former CIA Director Richard Helms and his deputy in the agency, Gen. Robert Cushman, and Lt. Gen. Vernon A. Walters, the agency's deputy director.

They gave additional details of efforts to further involve the agency in domestic espionage by three White House officials—H. R. Haldeman, John D. Ehrlichman and John W. Dean III.

The CIA officials have previously testified to the agency's role—at the behest of the White House—in the Daniel Ellsberg investigation and in additional efforts by the White House to involve the CIA in covering up the break-in at the Democratic Party's Watergate headquarters in June 1972.

Helms, Cushman and Walters have all testified, Symington said, that they were unaware of the extent of President Nixon's knowledge of these interventions. Helms' has also testified, however, that approaches to the agency by White House officials were made in the name of the President.

General Walters, in an affidavit released Wednesday, described several meetings with Haldeman, Ehrlichman and Dean beginning within a week after the Watergate break-in. He was asked in the course of these meetings for CIA help in disguising the nature of the break-in. Furthermore, said Walters, Dean specifically asked the agency to provide bail and

salary payments from "covert funds" for the Watergate defendants, some of whom were, in Dean's reported words, "scared" and "wobbling."

Walters said he told Dean that if CIA money were used for covert operations in this country, he would have to report it to a congressional committee that deals with CIA affairs.

Walters refused to comment on his testimony yesterday, but Symington said Haldeman apparently "localized in" on Walters and that Dean followed up with pressure to obtain CIA help.

Senator Jackson, also a committee member, termed the White House effort a "premeditated plan and design to use the CIA as a corrupt in connection with illegal activities undertaken by the administration."

Jackson said Helms and other CIA officials "had reason to believe the requests had the sanction of the President of the United States." But, like Symington, he was unable to offer any evidence to substantiate that claim.

When asked whether Helms had questioned Haldeman and Ehrlichman about the President's support, Jackson said, "You don't ask those questions when you're a professional, and in this kind of climate."

Jackson said Helms "had a right to believe that it (the request for cover-up assistance) came from the top."

Symington said that Helms testified that he talked with Mr. Nixon earlier this year when Helms was appointed ambassador to Iran, but said that the subject of Watergate did not come up. Symington said that at no time during the time of the White House pressures on the CIA did Helms communicate his concern to the President.

A committee source said that Helms' testimony yesterday was mostly an elaboration on the three White House requests described Monday by Walters, and that no new approaches emerged.

The source said that from the questioning it was obvious that the committee members felt Helms and the other CIA witnesses "had done a pretty good job of

resisting (the White House) under the circumstances."

Helms clearly made some accommodations to the White House staff, the source said, without connecting the requests to a larger program of political espionage that had not yet been publicized at the time.

However, Helms may face more unfriendly questioning Monday when he appears before the Senate foreign Relations Committee to explain why he denied at least three times in January and February that the CIA had been involved in Watergate in any way. Helms made the denials in hearings for his confirmation as ambassador to Iran.

"Several members of the committee are disturbed that some of the stories they have read of CIA involvement are not consistent with what they understood from the confirmation hearings," a committee staff aide said.

The aide said Helms will be asked in the closed session to describe all White House requests to the CIA and the domestic intelligence in which it participated.

While the committee cannot revoke its confirmation of Helms, it could turn over transcripts of testimony to the Justice Department for possible perjury action, or could even recommend impeachment proceedings.

Helms is also scheduled to appear before a federal grand jury here and before the Senate Select Subcommittee investigating Watergate. He may also be called by a Los Angeles County grand jury investigating the break-in of the office of Ellsberg's psychiatrist.

It was also disclosed yesterday that Walters testified that he recently visited the White House to talk with Counsel J. Fred Buzhardt and that he left some memoranda there at Buzhardt's suggestion. Buzhardt, former Pentagon counsel, joined the White House on May 10.

The memoranda, a committee source said, were Walters' recollections of the White House meetings in June with Haldeman and Ehrlichman. Symington said that the Armed Services Committee has requested the documents, and that Buzhardt has said he will deliver them.

Helms appeared later in the day before a House armed forces subcommittee, after which Chairman Lucien N. Nedzi (D-Mich.) said the former CIA director "felt he was getting orders from the highest authority."

Referring to White House pressures for assistance in

domestic intelligence operations, Nedzi said, "It is difficult with the benefit of hindsight how one should have acted under tremendous pressure."

WASHINGTON POST
18 May 1973

Prober's Powers Outlined

By George Lardner Jr.
Washington Post Staff Writer

Seeking to soothe the Senate over his insistence on "final authority" in the Watergate case, Attorney General-designate Elliot L. Richardson yesterday proposed an eight-point charter for the special prosecutor he plans to appoint.

At the same time, Richardson expanded his list of candidates for the job to an even dozen. Already bruised in his search for an appointee, he hopes to announce his choice today or Saturday.

The response of Democratic members of the Senate Judiciary Committee who want Richardson to disqualify himself and retain only the right to fire the prosecutor was ambivalent at best.

Three of them, Sens. Edward M. Kennedy (D-Mass.), John V. Tunney (D-Calif.), and Quentin Burdick (D-N.D.), called Richardson's proposals "constructive," but said they think more concessions are essential. Senate Majority Whip Robert C. Byrd (D-W. Va.) said he wanted to put the guidelines "under a microscope" before giving his approval.

Making public a written draft of the prosecutor's proposed authority, Richardson pledged that he would not "countermand or interfere with the special prosecutor's decisions or actions." He said the prosecutor would not be removed from the post "except for extraordinary improprieties on his part."

Both of those guarantees, it was learned, were not in the guidelines Richardson offered to the two candidates for special prosecutor who refused the job earlier this week.

Richardson continued to insist, however, that the extent of the prosecutor's independence would have to be "consistent with the Attorney General's statutory ac-

countability for all matters falling within the Department of Justice."

The prosecutor would also have to submit his budget requests "in the same manner as existing divisions of the department." And except for the special authority granted him in writing, he would be "subject to the general regulations and policies of the Department of Justice."

Within that framework, Richardson said the prosecutor would have "full authority" for:

- "Conducting proceedings before grand juries and any other investigations he deems necessary."

- "Reviewing all documentary evidence available from any source, as to which he shall have full access."

- "Determining whether or not to contest the assertion of 'executive privilege' or any other testimonial privilege."

- "Determining whether or not application should be made to any federal court for a grant of immunity to any witness, consistently with applicable statutory requirements." (Those requirements include the need for Richardson's signature or that of one of his top deputies.)

- "Deciding whether or not to prosecute any individual, firm, corporation or group of individuals."

- "Initiating prosecutions, framing indictments, filing informations, and handling all aspects of any cases within his jurisdiction [whether initiated before or after his assumption of duties], including any appeals."

- "Coordinating and directing the activities of all Department of Justice personnel, including United States attorneys."

- "Handling relations with all congressional committees having jurisdiction over any aspect of the above matters."

Many of these points, including "full" rather than "final" authority for the prosecutor, had been promised by Richardson in piecemeal fashion during his Senate confirmation hearings which began last week.

He wrote Senate Judiciary Committee members, however, that he was submitting the guidelines in hopes of erasing the "considerable uncertainty and apparent misunderstanding" about his position. He said he had refined the guidelines as a result of the hearings and his interviews with candidates for the post, and he asked for the senators' comments by noon today.

Sen. Byrd said a cursory glance at the proposals left him "somewhat favorably

impressed," but said Richardson still seemed to be saying that, as Attorney General, he would maintain "ultimate responsibility" for the Watergate investigations.

"I just wish he would disqualify himself," Byrd said. "This nomination is his fourth in this administration. It makes no difference how pure he is. The result is that this investigation, in the minds of many, will still be impure. . . . But he seems to be unwilling to go that absolute last mile."

Kennedy, Tunney and Burdick praised Richardson in their joint statement for making the guidelines public and thus giving the Judiciary Committee, bar associations and others a chance to assess them.

But they emphasized, without elaboration, that "there are still a number of very significant areas which we believe the special prosecutor would want and need to have clarified if he is to be assured the independence the American people expect him to have."

Richardson pledged to give the prosecutor "full authority" to select his own staff of attorneys and investigators, including enlistments from the Justice Department "to the fullest extent possible" in light of its other needs for personnel. He said the prosecutor would also be provided with "such funds . . . as he may reasonably require."

The "Watergate special prosecution force" thus assembled, Richardson added, would be assigned jurisdiction over "all offenses" rising out of the 1972 presidential campaign that the special prosecutor chooses to pursue as well as any other allegations "involving the President, members of the White House staff, or presidential appointees."

In a separate letter to Sen. Adlai E. Stevenson III (D-Ill.), who has introduced a sense-of-the-Senate resolution calling for the prosecutor to be given "final authority," Richardson maintained that his proposals amount to "a truly unique level of independence within the Department of Justice." But again, he called it "critical . . . that the Attorney General retain that degree of responsibility mandated by his statutory accountability."

Voicing his dissatisfaction with Richardson's proposals, Stevenson called them "ambiguous."

"The administration appears still to insist upon controlling the investigation of the administration," Stevenson said. "If the administration does not assure a truly independent investigation . . . it will be up to the Congress to do so."

Stevenson is considering,

withdrawing his sense-of-the-Senate resolution and introducing a bill that would lodge "final authority" in the special prosecutor by law.

The prosecutor's charter, which is sure to come up for a Senate airing before Richardson is confirmed, is only one of the nominee's headaches.

His first choice for the post, federal Judge Harold Tyler Jr., turned down the offer Monday with hints that the guidelines Richardson offered at that point were not satisfactory. Former Deputy Attorney General Warren Christopher, another of Richardson's four, so-called "finalists," took himself out of the running Wednesday, saying that he saw no "reasonable probability" of securing "the requisite independence."

NEW YORK TIMES
17 May 1973

Helms Says He Didn't Tell Nixon About Bids to C.I.A.

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, May 16 — Richard Helms, former Director of Central Intelligence, was quoted today as saying that he felt White House requests for his agency's assistance in the Watergate affair had been improper but that he never told President Nixon of his concern.

Mr. Helms, now Ambassador to Iran, was questioned for more than three hours today by a Senate Appropriations subcommittee that is investigating the Central Intelligence Agency's involvement in the Watergate and Pentagon papers cases.

His testimony was not made public and he refused to answer questions as he emerged from the hearing.

Senator John L. McClellan, Democrat of Arkansas, who is chairman of the investigating panel, said later that Mr. Helms had expressed concern over repeated attempts of White House aides to involve the C.I.A. in the Watergate affair.

Asked if Mr. Helms had conveyed his concern to the President, Senator McClellan replied: "No. He did not feel at that time that he should go to the President about it. He did not want the C.I.A. involved."

Mr. Helms had told the Senate Foreign Relations Committee earlier this spring, at his confirmation hearings on the ambassadorial post, that the intelligence agency had not been involved in the Watergate affair.

Since then, however, other

With only two more to go—retired New York appellate court Judge David W. Peck, 71, and Judge William H. Erickson, 49, of the Colorado Supreme Court—Richardson, it was learned, added 10 more names to his list, including some he had initially considered but not checked out, and others not previously contemplated.

Hopeful of making his pick by the weekend, Richardson is known to feel that the public turn-downs have already given the prosecutor's post an unattractive "second-best" flavor. More delay and turn-downs could damage his own chances for confirmation as Attorney General.

Senate sources, by the same token, contend that Richardson lost Tyler and Christopher by not offering them enough independence at the outset.

present and former officials of the agency have told Congressional committees that the agency provided assistance to the White House in two incidents involving the Pentagon papers case and was approached other times by White House aides in apparent attempts to cover up events involving the break-in of Democratic headquarters at the Watergate complex last year.

Mr. Helms confirmed the reports of other C.I.A. officials, but under questioning he also defended his earlier denial of the agency's involvement in the Watergate affair.

"He did not relate these events to the Watergate," Senator McClellan said.

"After all, this Watergate is a very broad-based thing," said Senator Milton R. Young of North Dakota, ranking Republican of the subcommittee.

Asked if Mr. Helms had known that White House requests for C.I.A. assistance were part of an attempted cover-up, Senator Roman L. Hruska, Republican of Nebraska, replied: "He didn't and, in fact, they weren't. The so-called Mexican laundering operation did not relate in any way to the bugging of Democratic headquarters."

The Mexican "laundering" incident involved Nixon reelection campaign funds that had been channeled through a Mexico City bank and later used to finance various operations connected with the Watergate affair.

Lieut. Gen. Vernon Walters, deputy director of the Central Intelligence Agency, told the

Senate Armed Services Committee earlier this week that two White House aides, H. R. Halde- man and John D. Ehrlichman, had asked the agency to call off an investigation by the Federal Bureau of Investigation into the "laundered" campaign funds in the interest of national security.

General Walters also told that committee that John W. Dean 3d, recently dismissed as

counsel to the President, had asked the C.I.A. to pay the bail and salaries of the men involved in the Watergate break- in. The request was believed to be an attempt to get the agency to provide a "cover" for the operation.

Senator McClellan said that Mr. Helms told the subcommit- tee today that he felt these White House requests were wrong and had insisted that the C.I.A. not become involved.

'Reluctantly' Granted

But the Senator said that Mr. Helms had admitted that he approved earlier a request of another White House aide for preparation by the agency of a "personality assessment" on Dr. Daniel Ellsberg, who was later indicted on charges in- volving his copying and mak- ing public the Pentagon papers on United States involvement

in Vietnam.

Senator McClellan said that Mr. Helms "did not think this quite proper" but that he "re- luctantly" granted the request because it had come from the White House.

Senator McClellan said that he felt that the C.I.A. had vio- lated the National Security Act by becoming involved in the Ellsberg case. The law forbids the agency from engaging in internal security operations.

WASHINGTON POST

18 May 1973

Ervin: We Cannot Fail Mission

Following are partial texts of the initial remarks of Chairman Sam J. Ervin Jr. (D-N.C.) of the Senate select committee investigating the Watergate affair and the ranking minority member of the committee, Sen. Howard Baker (R-Tenn.), at yester- day's opening session of the committee's public hearings:

Sen. Ervin: We are begin- ning these hearings today in an atmosphere of the utmost gravity, the questions that have been raised in the wake of the June 17 break-in strike at the very undergird- ing of our democracy. If the many allegations made to this date are true, then the burglars who broke into the headquarters of the Demo- cratic National Committee at the Watergate were in ef- fect breaking into the home of every citizen of the United States.

And if these allegations prove to be true what they were seeking to steal was not the jewels, money or other property of American citizens, but something much more valuable — their most precious heritage, the right to vote in a free elec- tion. Since that day, a mood of incredulity has prevailed among our populace, and it is the constitutional duty of this committee to act expedi- tiously to allay the fears being expressed by the citi- zenry, and to establish the factual bases upon which these fears have been founded.

The first phase of the committee's investigation will probe the planning and execution of the wiretap- ping and break-in of the Democratic National Com- mittee's headquarters at the Watergate complex, and the alleged cover-up that fol- lowed. Subsequent phases will focus on allegations of campaign espionage and subversion and allegations of extensive violations of campaign financing laws. The clear mandate of the unanimous Senate resolu- tion provides for a biparti- san investigation of every

phase of political espionage and illegal fund-raising. Thus it is clear that we have the full responsibility to recom- mend any remedial leg- islation necessary.

In pursuing its task, it is clear that the committee will be dealing with the workings of the democratic process under which we op- erate in a nation that still is the last, best hope of man- kind in his eternal struggle to govern himself decently and effectively . . .

In dealing with the chal- lenges posed by the multitu- dinous allegations arising out of the Watergate affair, however, the select commit- tee has a task much more difficult and complex than dealing with intrusions of an open branch of the govern- ment upon the power of the others. It must probe into assertions that the very sys- tem itself has been, sub- verted and its foundations shaken.

To safeguard the struc- tural scheme of our govern- mental system, the founding fathers provided for an elec- toral process by which the elected officials of this na- tion should be chosen. The Constitution, later-adopted amendments, and more spe- cifically, statutory law, pro- vide that the electoral pro- cesses shall be conducted by the people, outside the confines of the formal branches of the government, and through a political process that must operate under the strictures of law and ethical guidelines, but independent of the overwhelming power of the government itself. Only then can we be sure that each electoral process cannot be made to serve as the mere handmaiden of a particular administration in power.

If the allegations that have been made in the wake of the Watergate affair are substantiated, there has been a very serious subver- sion of the integrity of the electoral process, and the committee will be obliged to consider the manner in which such a subversion af- fects the continued exist- ence of this nation as a rep- resentative democracy, and how, if we are to survive,

such subversions may be prevented in the future.

It has been asserted that the 1972 campaign was influ- enced by a wide variety of illegal or unethical activi- ties, including the wide- spread wiretapping of the telephones, political head- quarters, and even the resi- dences of candidates and their campaign staffs and of members of the press; by the publication of forged documents designed to de- fame certain candidates or enhance others through fraudulent means; the infil- tration and disruption of op- ponents' political organiza- tions and gathering the raising and handling of cam- paign contributions through means designed to circum- vent, either in letter or in spirit, the provisions of cam- paign disclosure acts; and even the acceptance of cam- paign contributions based upon promises of illegal in- terference in governmental processes on behalf of the contributors.

Finally, and perhaps most disturbingly, it has been al- leged that, following the Watergate break-in, there has been a massive attempt to cover up all the improper activities, extending even so far as to pay off potential witnesses and, in particular, the seven defendants in the Watergate trial in exchange for their promise to remain silent — activities which, if true, represent interference in the integrity of the prose- cutorial and judicial pro- cesses of this nation. More- over, there has been evi- dence of the use of govern- mental instrumentalities in efforts to exercise political surveillance over candidates in the 1972 campaign.

Let me emphasize at the outset that our judicial pro- cess thus far has convicted only the seven persons ac- cused of burglarizing and wiretapping the Democratic National Committee Head- quarters at the Watergate complex on June 17. The hearings which we initiate today are not designed to in- tensify or reiterate un- founded accusations or to poison further the political

climate of our nation. On the contrary it is my convic- tion and that of the other committee members that the accusations that have been leveled and the evidence of wrong-doing that has sur- faced has cast a black cloud of distrust over our entire society. Our citizens do not know whom to believe, and many of them have con- cluded that all the processes of government have become so compromised that honest governance has been ren- dered impossible.

We believe that the health, if not the survival of our social structure and of our form of government re- quires the most candid and public investigation of all the evidence and of all the accusations that have been leveled at any persons, at whatever level, who were engaged in the 1972 cam- paign. My colleagues on the committee and I are deter- mined to uncover all the rel- evant facts surrounding these matters, and to spare no one, whatever his station in life may be, in our efforts to accomplish that goal. At the same time, I want to em- phasize that the purpose of these hearings is not prose- cutorial or judicial, but rather investigative and in- formative.

No one is more cognizant than I of the separation of powers issues that hover over these hearings. The committee is fully aware of the on-going grand jury pro- ceedings that are taking place in several areas of the country, and of the fact that criminal indictments have been returned already by one of these grand juries. Like all Americans, the members of this committee are vitally interested in seeing that the judicial pro- cesses operate effectively and fairly, and without interfer- ence from any other branch of government.

The investigation of this select committee was born of crisis, unabated as of this very time, the crisis of a mounting loss of confidence by American citizens in the integrity of our electoral process, which is the bed-

17 May 1973

2 Top Aides Said Facing Indictments

By Lawrence R. Meyer
and Timothy S. Robinson
Washington Post Staff Writers

The lawyers for H. R. (Bob) Haldeman and John D. Ehrlichman told a federal judge here yesterday that the two former top White House aides "may be indicted" as a result of the federal grand jury's investigation into the Watergate affair.

The statement, contained in a formal motion filed with U.S. District Judge Charles R. Richey, was accompanied by sworn statements from Haldeman and Ehrlichman in which they say that they have been formally notified by the prosecution that they are "subjects of the investigation" and that their statements could be used in

participatory democracy.

If one of the effects of Watergate is public disillusionment with partisan politics, if people are turned off and drop out of the political system, this will be the greatest Watergate casualty of all. If, on the other hand, this national catharsis in which we are now engaged should result in a new and better way of doing political business, if Watergate produces changes in laws and campaign procedures, then Watergate may prove to be a great national opportunity to revitalize the political process and to involve even more Americans in the day-to-day work of our two great political parties. I am deeply encouraged by the fact that I find no evidence at this point in time to indicate that either the Democratic National Committee or the Republican National Committee played any role in whatever may have gone wrong in 1972. The hundreds of seasoned political professionals across this country, and the millions of people who devoted their time and energies to the campaigns, should not feel implicated or let down by what has taken place.

With these thoughts in mind, I intend to pursue, as I know each member of this committee intends to pursue, an objective and evenhanded but thorough, complete, and energetic inquiry into the facts. We will inquire into every fact and follow every lead, unrestrained by any fear of where that lead might ultimately take us.

"subsequent proceedings."

Although it has been previously reported that both Haldeman and Ehrlichman had testified before the grand jury here, their affidavits and the statement of their lawyers yesterday were the first formal acknowledgment that the former presidential aides may be defendants in a criminal trial.

The motion filed with Judge Richey asks him to delay scheduled depositions of Haldeman and Ehrlichman set for May 22 in connection with the \$6.4 million civil suit brought by the Democratic National Committee against officials of the Committee for the Re-election of the President following the break-in and bug-ging of the Democrats' Watergate headquarters.

In related developments yesterday:

• Sen. Sam J. Ervin Jr. (D., N.C.), chairman of the Senate select committee investigating the Watergate affair, told a press conference in Brunswick, Maine, that during the committee's public hearings "there will be some startling revelations brought out that have not yet been disclosed by the news media." The televised hearings begin at 10 a.m. (EDT) today.

• Chief U. S. District Judge John J. Sirica granted immunity from prosecution yesterday to former White House aide David R. Young and Roy H. Sheppard, a mysterious figure in the Watergate investigation. In granting the two men immunity, Sirica directed them to answer questions before the grand jury.

• The attorney for John W. Dean III, the former White House counsel who has become a central figure in the Watergate scandal, also asked Judge Richey to postpone Dean's deposition in the Democrats' civil suit. Dean's lawyer said the deposition, set for May 17, may jeopardize Dean's bid to gain immunity from prosecution in return for his testimony before the Senate committee.

• Convicted Watergate conspirator G. Gordon Liddy was granted limited immunity from prosecution and ordered to testify before the Senate committee yesterday by Judge Sirica. Liddy is now serving an eight-month contempt of court jail term—on top of the six years and eight months term he was given for his role in the Watergate conspiracy—after he refused to answer questions before the grand jury. Liddy's lawyer, Peter Maroulis, said yesterday he also has advised his client not to answer Senate committee questions because it might jeopardize appeal of his

rock of our democracy. The American people are looking to this committee, as the representative of all the Congress, for enlightenment and guidance regarding the details of the allegations regarding the subversion of our electoral and political processes.

As the elected representatives of the people, we would be derelict in our duty to them if we failed to pursue our mission expeditiously, fully, and with the utmost fairness. The aim of the committee is to provide full and open public testimony in order that the nation can proceed toward the healing of the wounds that now afflict the body politic.

It is that aim that we are here to pursue today, within the terms of the mandate imposed upon us by our colleagues and in full compliance with all applicable rules of law. The nation and history itself are watching us. We cannot fail our mission.

Sen. Baker: This committee is not a court, nor is it a jury. We do not sit to pass judgment on the guilt or innocence of anyone. The greatest service that this committee can perform for the Senate, the Congress, and for the people of this nation is to achieve a full discovery of all of the facts that bear on the subject of this inquiry. This committee was created by the Senate to do exactly that. To find as many of the facts, the circumstances and the relationships as we could, to assemble those facts into a coherent and intelligible presentation and to make recommendations to the Congress for any changes in statute law or the basic charter document of the United States that may seem indicated.

But this committee can serve another quite important function that neither a grand jury investigation nor a jury proceeding is equipped to serve, and that is to develop the facts in full view of all of the people of America. Although juries will eventually determine the guilt or the innocence of persons who have been and may be indicted for specific violations of the law, it is the American people who must be the final judge of Watergate. It is the American people who must decide, based on the evidence spread before them, what Watergate means about how we all should conduct our public business in the future.

When the resolution which created this committee was being debated on the floor of the Senate in February of this year, I and other Republican senators expressed concern that the inquiry might become a par-

tisan effort by one party to exploit the temporary vulnerability of another. Other congressional inquiries in the past had been conducted by committees made up of equal numbers of members from each party. I offered an amendment to the resolution which would have given the Republican members equal representation on this committee. That amendment did not pass. But any doubts that I might have had about the fairness and impartiality of this investigation have been swept away during the last few weeks.

Virtually every action taken by this committee since its inception has been taken with complete unanimity of purpose and procedure. The integrity and fairness of each member of this committee and of its fine professional staff have been made manifest to me, and I know they will be made manifest to the American people during the course of this proceeding. This is not in any way a partisan undertaking, but, rather it is a bipartisan search for the unvarnished truth.

I would like to close, Mr. Chairman, with a few thoughts on the political process in this country. There has been a great deal of discussion across the country in recent weeks about the impact that Watergate might have on the President, the office of the presidency, the Congress, or our ability to carry on relations with other countries, and so on. The constitutional institutions of this Republic are so strong and so resilient that I have never doubted for a moment their ability to function without interruption.

On the contrary, it seems clear to me the very fact that we are now involved in the public process of cleaning our own house, before the eyes of the world, is a mark of the greatest strength. I do not believe that any other political system could endure the thoroughness and the ferocity of the various inquiries now under way within the branches of government and in our courageous, tenacious free press.

No mention is made in our Constitution of political parties. But the two-party system, in my judgment, is as integral and as important to our form of government as the three formal branches of the central government themselves. Millions of Americans participated actively, on one level or another, and with great enthusiasm, in the presidential election of 1972. This involvement in the political process by citizens across the land is essential to par-

WASHINGTON POST
16 May 1973

Pressure on CIA Revealed on Hill

By Laurence Stern
Washington Post Staff Writer

The Central Intelligence Agency resisted an extraordinary series of pressures by top White House aides to assist in a cover-up of the Watergate scandal over an eight-month period beginning in June, 1972, Sen. Stuart Symington (D-Mo.) revealed yesterday.

These pressures became so intense that the CIA's deputy director, Lt. Gen. Vernon Walters, warned former White House counsel John W. Dean III that he would resign and demand an audience with President Nixon if he were ordered to "compromise" the agency in the Watergate case.

This new account of White House intercessions in the Watergate investigation was disclosed by Symington based on testimony by Walters on Monday to the Senate Armed Services Committee and a deposition given by the CIA officials to federal prosecutors yesterday.

The White House officials implicated by Walters' testimony are Dean, H. R. (Bob) Haldeman and John D. Ehrlichman. Former acting FBI Director L. Patrick Gray III also became involved in the efforts, according to Symington.

"It is very clear to me that there was an attempt to unload major responsibility for the Watergate bugging and cover-up on CIA," Symington said. The three aides, he added, "were doing everything in the world to obstruct justice."

Symington said the narrative began on June 23, 1972, less than a week after the celebrated Watergate break-in, when Walters and former CIA Director Richard M. Helms were summoned to the White House to meet with Haldeman and Ehrlichman.

Haldeman warned that the Watergate incident "might be exploited by the opposition" and he directed Walters to tell Gray that any investigation into channeling of Watergate funds through Mexico would endanger CIA activities and resources in that country.

"Mr. Haldeman specifically bypassed General Walters' superior, Mr. Helms, in asking that only General Walters visit Mr. Gray," Symington noted.

An immediate appointment was made by the White House with Gray and within an hour the acting FBI director and Walters were sitting down in a face-to-face meeting.

Walters, according to the testimony, told Gray that "senior people at the White House, whom he did not name, had told him that pursuit of the investigation of Mexican financing would uncover some of the agency's clandestine activities." Gray answered that he was aware the FBI and CIA "do not uncover one another's sources and operations," according to the Symington account.

But when Walters returned to the CIA he was told, Symington believes by Helms, that an FBI investigation of the Mexican fund "laundering" operation would not endanger CIA covert resources.

Three days later Walters was summoned to the White House, this time by Dean, to discuss the scheme for calling off the FBI investigation.

Walters went to see Dean after confirming with Ehrlichman "that it was all right to talk with him," Symington related. He told Dean that "the agency was not compromised in any way in the Watergate bugging, and that there was no CIA involvement in the case."

Helms told Walters on this occasion and in the ensuing developments that "he had handled the situation just right," according to the Symington account.

The following day, June 27, Dean again called Walters in. "Mr. Dean reportedly asked if there was some way the CIA could go bail or pay the salaries of the individuals accused in the Watergate case while they were in jail,"

Watergate conviction.

Haldeman, until his resignation was accepted by President Nixon on April 30, was the White House chief of staff and generally considered to be one of the most powerful men in the Nixon administration. Ehrlichman, whose resignation also was accepted on April 30, was chief assistant to the President for domestic affairs and part of the inner circle at the White House.

In his affidavit, Haldeman said he had appeared before the grand jury on May 9 and 14. Ehrlichman said he appeared on May 3, 9 and 14. According to the lawyers for both men, John J. Wilson and Frank H. Strickler, Haldeman has testified for a total of about six hours and Ehrlichman for about eight hours.

The affidavits of both men contain this statement:

"That in connection with my said appearances I was told by the Assistant United States Attorney before the said grand jury that I was one of the subjects of the investigation, and that anything I might say could be used against me in subsequent proceedings."

The lawyers' brief says that "It is possible that one, or the other or both movants (Haldeman and Ehrlichman) may be indicted as a result of the investigation."

Haldeman and Ehrlichman reportedly are implicated in a variety of steps allegedly taken to cover up the Watergate scandal:

- Lt. Gen. Vernon Walters, deputy director of the CIA, has told a Senate committee that both men, along with Dean, tried to pressure the CIA into assisting in the cover-up. The CIA resisted the pressures, Sen. Stuart Symington (D-Mo.) said after hearing Walters in closed testimony before the Senate Armed Services Committee Monday.

- Ehrlichman and Dean reportedly turned over documents to acting FBI Director L. Patrick Gray III taken from the Executive Office Building safe of convicted Watergate conspirator E. Howard Hunt Jr. Gray reportedly said he was told by Dean that the documents should "never see the light of day." Gray has acknowledged to Senate investigators that he later destroyed the documents.

- Dean is reported to be prepared to testify under oath that Haldeman and Ehrlichman aided in the alleged cover-up. The grand

jury reportedly has been told that money was paid to the Watergate conspirators on Haldeman's orders to buy their silence.

In the hearing before Judge Sirica on immunity for former White House aide Young, the transcript of the grand jury proceedings—read in open court—showed that Young had declined to answer questions about his job in the White House for the National Security Council.

Young, whose resignation from the White House was announced April 30, declined to tell the grand jury whether he had been involved in White House investigations of security leaks.

Roy H. Sheppard, whose former lawyer told Sirica last month that his client had received eight cartons of Watergate-related documents at the White House the day after the Watergate break-in, refused to answer all questions put to him before the grand jury. Sheppard refused to say whether he was married, whether he knew Hunt or whether he was reading his Fifth Amendment invocation from a slip of paper.

Dean's motion to delay the taking of his deposition states that federal prosecutors "have refused to indicate" whether Dean "is only a witness or a prospective defendant or target" of the grand jury's investigation. Dean has not been called yet to testify, his lawyer, Charles N. Shaffer, said, but he "will be called," he added.

The Senate committee has voted to grant immunity from prosecution to Dean for any statements he makes to the committee under oath. If Dean were to give his deposition prior to appearing before the committee or the grand jury, Shaffer said, he could jeopardize his Fifth Amendment rights and thus the immunity the committee is granting him.

The Justice Department still has not told the committee whether it will exercise its legal right to delay the granting of immunity to Dean for 30 days, according to a committee source.

The committee has received a letter from Justice saying that the department will delay for the maximum 30 days the immunity the committee granted more than a week ago to former deputy Nixon campaign manager Jeb Stuart Magruder, according to an informed source.

Symington said.

"General Walters stated that he told Mr. Dean that to spend funds in this way would implicate the agency, and that he, General Walters, was prepared to resign rather than to do this."

Dean summoned him a third time the next day, Walters related.

"Mr. Dean reportedly asked if there could have been some CIA involvement that General Walters did not know about. General Walters said he stated that there could not be," according to the account.

"Mr. Dean asked if General Walters had any ideas, and General Walters replied, yes, that anyone who was responsible should be fired."

It was at that point that Walters told Dean, according to Symington's statement, that if he were ordered to implicate the CIA "he would ask to see the President and to explain to him how dangerous he thought such an action would be."

The next call to Walters—about a week later—came from acting FBI Director Gray. Gray said he could not stop the FBI inquiry into the Mexican fund conduit without a letter from Helms or Walters "stating that such an investigation would damage the agency's assets in Mexico." Walters replied that the CIA "had no interest in stopping any investigation."

He repeated to Gray his determination to resign if there was an attempt to compromise the agency, Symington related.

There is a sharp divergence in the testimony of Walters and Gray on the meeting that took place between the two men in early July.

Gray claims that Helms told him the CIA had no interest in the Mexican matter but that Walters asked the FBI to postpone interviews with two key witnesses. Gray's claim was reported in a digest of his testimony to the Senate's Watergate investigating committee, according to the Associated Press.

One of the witnesses alluded to by Gray was reported to be Manuel Ogarrio, the Mexican City lawyer who allegedly "laundered" a \$100,000 check through his bank, proceeds of which ended up in the safe of Nixon fundraiser Maurice H. Stens. These funds figured in bankrolling the Watergate and other operations of the Committee for the Re-election of the President.

Symington alluded yesterday to a memo by convicted Watergate conspirator James W. McCord Jr. alleging that "Helms was fired from the CIA because it was felt he would not go along" with the cover-up attempt.

Walters, he said, was acting constantly under the instructions of Helms. "And Mr. Helms," he added, "left the agency."

McCord, in a memorandum to the Senate Watergate investigating committee and federal prosecutors earlier this month, said he believed Helms was fired in order to lay the foundations for a claim that the bugging and break-in were conducted under CIA auspices.

NEW YORK TIMES
17 May 1973

DATA SUBPOENAED ON POLITICAL GIFT

HOUSTON, May 16 (AP)—The Federal Government yesterday subpoenaed the bank records of the president of Gulf Resources & Chemical Company, Robert H. Allen, and recalled a Federal grand jury for a special session Friday in connection with a contribution to President Nixon's re-election campaign.

The jury is investigating possible criminal violations involving \$89,000, part of a \$100,000 contribution by Mr. Allen, who says he personally donated the money. Mr. Allen, who spent two hours with the grand jury last week, has denied that the company contributed to the campaign.

It is unlawful for a corporation to contribute to a political

The next important contact with Dean, related Symington, was in late January or early February, 1973. At that time the White House counsel called the new CIA director, James R. Schlesinger, and asked the CIA to retrieve from the FBI material bearing on the September, 1971, burglary of Daniel Ellsberg's psychiatrist's office by Watergate conspirators E. Howard Hunt and G. Gordon Liddy.

Schlesinger and former CIA Deputy Director Gen. Robert E. Cushman Jr. acknowledged last week that the agency provided Hunt and Liddy with spy equipment that was used in the Ellsberg burglary in 1971.

Top CIA officials decided that "there was no way" to comply with Dean's request—"that it would implicate the CIA in something it was not implicated in." The decision was made by Walters, Schlesinger and incoming CIA Director William E. Colby.

Both Walters and Cushman served as personal aides to President Nixon at the time he was Vice President. Cushman was his military aide in the late 1950s and Walters served as his interpreter on various foreign tours, including Mr. Nixon's 1958 tour of South America during which the vice-presidential party was showered with rocks and other debris. Walters was sprayed with glass splinters.

"It is clear," said Symington, "that senior White House officials were deeply involved in attempts to enmesh CIA in the Watergate affair and thus take the pressure off those who were really responsible."

Symington said he could not explain why the alleged White House cover-up pressures on the CIA did not surface until 11 months after they were first applied to Helms and Walters.

He said he was not aware of any effort to report the series of events to the prosecutors in the Watergate case, the various CIA oversight committees on Capitol Hill, or to bring the matter to the direct attention of President Nixon.

"I can't decide why someone didn't come forward," said Symington, who is acting Armed Services Committee chairman. "We are now in the process of investigating this matter."

He noted, however, that the director of the CIA reports directly to the President and that the request for CIA collusion in the cover-up came "from the President's head staff man"—Haldeman.

At the request of Sen. Strom Thurmond (R-S.C.), Symington said he would order an investigation of how The Washington Post learned exclusively and reported in yesterday's edition that the White House had sought to use the CIA to suspend the FBI investigation into the Mexican fund connection with Watergate.

Helms met for more than two hours yesterday with Earl Silbert, principal assistant U.S. attorney prosecuting the Watergate case, to discuss Watergate and related matters. The former CIA director goes before a Senate Appropriations subcommittee on intelligence today to give his version of the CIA dealings with the White House.

campaign.

United States Attorney Henry J. Novak Jr. filed a subpoena showing that he had personally served the cashier of the First City National Bank with a demand for Mr. Allen's records, Federal court records revealed.

Part of the contribution, \$89,000, was traced to a Miami bank account of Bernard L. Barker, a former agent of the Central Intelligence Agency who was arrested June 17 inside the Watergate headquarters of the National Democratic Executive Committee.

The money traced to Barker's account was in bank drafts from Manuel Ogarrio Daguerre, a Mexico City attorney who represents Gulf Resources. Mr. Allen said last week that routing the money through Mexico was the best way to make the anonymous contribu-

WASHINGTON POST
18 May 1973

Watergate and the CIA

The rush of events has cast the impression that the Central Intelligence Agency, too, was caught up in the crisis of governance known as Watergate and was somehow despoiled or suborned. But such a comprehensive indictment should not be handed down casually. A closer look at the three main episodes of Watergate-CIA involvement suggests another and more complex view.

In the first episode, in July-September 1971, the CIA was asked by John Ehrlichman to give retired CIA employee Howard Hunt, then identified as a White House security consultant, technical help for an undisclosed mission. The Pentagon Papers had just been published. The CIA's legislative charter gives it "responsibility for protecting intelligence sources and methods from unauthorized disclosures," and in that context the then-deputy director, Gen. Robert Cushman, who had long known Mr. Ehrlichman and who had also served as a personal aide to Vice President Nixon, granted technical aid to Howard Hunt. But he was put off by Hunt's manner; the agency, learning that "domestic clandestine operations" were involved, cut the Hunt link in five weeks; General Cushman quickly informed Mr. Ehrlichman. The burglary of Daniel Ellsberg's psychiatrist took place a month later. At the same time, CIA Director Richard Helms, in the same context of an ostensible White House investigation of security leaks, ordered up a CIA psychiatric profile of Mr. Ellsberg at White House request. His successor, James Schlesinger, later termed these missions "ill advised."

In the second episode, beginning only six days after the Watergate break-in of June 17, 1972, top White House aides reportedly tried on repeated occasions to induce the CIA to halt an FBI probe into the "laundered" Mexican money that financed the break-in (by having the CIA invent a false rationale that the probe would compromise CIA sources); those aides then asked CIA to use secret funds to "go bail or pay the salaries" of Watergate conspirators. By available testimony, the CIA resolutely rejected these entreaties. Gen. Vernon Walters, the then-deputy director and also a former aide to Vice President Nixon, even said he would resign and go to the President before so compromising the agency.

In the third episode, in early 1973—by then, "Watergate" was rapidly unfolding—the White House sought to have the CIA receive back (knowingly) the Ellsberg burglary materials it had blindly given Hunt in 1971. The CIA absolutely refused.

So what do we have? In all three episodes, the White House trampled over the provision of the CIA's charter specifying that the agency function "under the National Security Council" and it sought to turn the CIA to purposes having at best a tenuous connection to the agency's intelligence mandate—even the way the White House presented it—and at worst no connection whatsoever. In the episodes involving the Mexican money and the receiving back of Ellsberg burglary materials, successive CIA directors and their deputies stood off fierce White House pressure aimed at forcing them to violate the spirit and letter of their charter. In the episode involving aid for a mission whose purpose was at first unknown to the CIA, the agency recovered promptly when it got a better sense of what was going on.

The further question arises of whether Mr. Helms should have reported, either to the President or Congress, whatever may have been his suspicion or knowledge at various times that something sour was going on. We submit that no final answer can be offered until there becomes available a fuller record not only of precisely what Mr. Helms told Congress last February and March and again in the last few days, but also of the steps he may have taken to protect the CIA from taint before he was relieved of the agency's directorship.

To establish a kind of base line, we think it appropriate meanwhile to recall a rare public speech Mr. Helms gave in April 1971, before any of the known incidents had occurred, in which he spoke with feeling and sensitivity of the difficult role of a secret intelligence agency in a free society. The CIA operates "under constant supervision and direction of the National Security Council," he said. It assumes only "normal responsibilities for protecting the physical security of our own personnel, our facilities, and our classified information . . . In short, we do not target on American citizens."

To the extent that the integrity of the professional intelligence community may have been compromised, we think it necessary to look first to the White House. It was the men there who in their cavalier abuse of power and their contempt for the institutions of American government—even an institution as sensitive as the CIA—tried but, it seems, largely failed to compromise and subvert the CIA.

WASHINGTON STAR

11 May 1973

Red Embassy Had Pentagon Papers

BY J. F. TER HORST
Special to the Star-News

The Soviet Union was given a set of the top secret Pentagon Papers before they were first made public in 1971 by the New York Times, according to a former White House official.

But shortly thereafter, the source said, Soviet officials returned the documents to U.S. authorities—apparently without having examined them.

An account of the bizarre episode was first obtained by the North American Newspaper Alliance during the controversy over the Pentagon Papers and the administration's unsuccessful court battle to block their publication two years ago. The account was not written then because it could not be corroborated independently.

Monday, however, a

sworn reference to Soviet "possession" of the Pentagon Papers came to light in the Los Angeles trial of Daniel Ellsberg on charges of stealing, copying and releasing them.

EGIL KROGH, the former presidential aide who resigned his undersecretary of transportation post yesterday, submitted an affidavit explaining his supervisory role in a White House investigation into Ellsberg's background, including the burglary of the office of Ellsberg's psychiatrist.

Citing national security reasons, Krogh's affidavit said the Nixon administration was concerned wheth-

er release of the Pentagon Papers was part "of a wider conspiracy." Krogh said he was "informed by the FBI that the so-called Pentagon Papers were in the possession of the Soviet Embassy, Washington, D.C. prior to their publication by the New York Times newspaper, suggesting an effort to aid and abet an enemy of the United States through the ally."

While Krogh's statement to the court does not go into details, the original White House source explained it this way:

"Unidentified persons were observed delivering bundles to the Soviet Embassy.

Helms Becomes Latest Victim Of Watergate

By Laurence Stern
Washington Post Staff Writer

Richard M. Helms, long regarded as Washington's most candid professional intelligence man, is the latest casualty of the Watergate scandal.

Watergate has been a graveyard of public reputations, and Helms today begins a series of congressional appearances in which he hopes, presumably, to salvage his own.

Just recalled from Iran, where he is the American ambassador, Helms spent his first hours here in a most unambassadorial setting—the office of Assistant U.S. Attorney Earl J. Silbert, chief prosecutor in the Watergate case. He was met at the airport by a deputy federal marshal rather than a protocol officer.

Helms' reputation for candor with Congress already has been badly tarnished.

In at least three appearances before the Senate Foreign Relations Committee prior to his departure for Iran earlier this year, Helms unequivocally denied that the CIA under his directorship had ever been involved in Watergate.

Yet as long as two years ago, it was disclosed last week on Capitol Hill, the CIA gave undercover assistance to the star conspirators of the Watergate case, E. Howard Hunt and G. Gordon Liddy.

The assistance—snooping paraphernalia of a variety that James Bond might have found embarrassing—was delivered to Hunt on the authority of a phone call from White House aide John D. Ehrlichman to former Deputy CIA Director Gen. Robert E. Cushman, a military aide to Mr. Nixon back in the vice-presidential years.

The agency called off its help to Hunt in August, 1971, but not in time to prevent the burglary of the office of Pentagon papers defendant Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding.

Last February and March—long after Hunt and Liddy had become household words in Washington—Helms was questioned under

oath in closed sessions of the Senate Foreign Relations Committee about CIA involvement in Watergate or other domestic operations.

The questioning also came months after the President's three principal White House aides, H. R. (Bob) Haldeman, Ehrlichman and John W. Dean III, reportedly sought the CIA's collusion in covering the Watergate trail.

So far the record suggests that Helms stood up admirably during the eight months of Haldeman-Ehrlichman-Dean pressures that began a week after the Watergate break-in and continued until last February. His deputy, Gen. Vernon Walters, told the White House he would resign rather than comply with any plan to implicate the CIA in the cover-up attempt.

Yet Helms said not a word to the Foreign Relations Committee, once his warmest constituency on Capitol Hill, even in response to a series of probing questions on CIA domestic involvements during a lengthy closed hearing last March 5.

Silence in adversity is an underlying discipline of the intelligence craft. But to a number of the senators waiting eagerly for a crack at Helms this week, Watergate was no legitimate intelligence concern of the CIA but rather a grisly domestic political conspiracy centered in the White House.

To the credit of Helms, he did withstand the pressures of the White House to make the CIA an exculpatory tool for a clique of presidential aides. As Sen. Stuart Symington (D-Mo.) pointed out yesterday, it takes some powerful withstanding to spurn a directive of the President's chief of staff.

And some congressional investigators are looking into the possibility that the departure of Helms as CIA director last December stemmed in part from his unwillingness to cooperate with the cover-up enterprise. Close friends and colleagues of Helms said at the time that it was a reluctant de-

Soviet Press Ends Watergate Silence

By Robert G. Kaiser
Washington Post Foreign Service

MOSCOW, May 16—The official Soviet press finally broke its long silence on the Watergate affair today.

Literary Gazette, a weekly newspaper for the intelligentsia, carried a 500-word story under the headline "Watergate Affair: What's happening?"

The unsigned article is carefully worded. Though it implies a good deal, it does not state that the White House or President Nixon had any involvement in the case.

Soviet editors acknowledge privately that the Watergate story has been too complicated for them to handle. Their difficulties stem from the Soviet philosophy of journalism, which dictates that all stories on a subject should reflect the current line.

The Communist Party has decided that the line on the United States should be friendly and upbeat. President Nixon is to be treated as a statesmanlike partner in detente.

The line serves two purposes: to try to flatter the United States, and to reinforce the impression that the party has acted correctly by deciding to make friends with the United States. Western diplomats here speculate that Soviet leaders may worry about the popular reaction to Watergate.

"People may ask why Brezhnev is running off to see a man involved in such a scandal," one noted.

Whatever the explanation, Soviet newspaper readers had only the vaguest notion of Watergate until today's article. The Literary Gazette story may be a sort of insurance policy against the possibility that Watergate will get still worse, perhaps even threatening the summit conference scheduled for June.

The story recounts the basic

facts of the Watergate break-in and subsequent trials. The paper notes that former Attorney General John N. Mitchell and former secretary of commerce Maurice H. Stans "turned out to be involved."

The story lists some of the recent resignations in Washington, and quotes President Nixon as saying that the resignations of White House aides, H. R. Haldeman and John C. Ehrlichman should not be taken as signs of their guilt. In its next paragraph, Literary Gazette mentions Haldeman and Ehrlichman as two of those who—judging by reports in the American press—will be indicted in the near future.

The paper does not mention any of the wider ramifications of Watergate or the related events like the political sabotage campaign, the mysterious campaign funds and so on. Nevertheless, a careful Soviet reader would undoubtedly gather from the story that something important was going on, if only because so many Cabinet members and important officials have resigned and are expected to be indicted.

The only earlier Soviet reports on the affair were brief announcements on the withdrawal of Patrick Gray's nomination, and then his resignation as acting chief of the FBI. Literary Gazette has also translated a James Reston column on the affair.

Literary Gazette's story appears to have been written a week or more ago. It refers to Mitchell and Stans, but doesn't mention that they have been indicted. The story also includes a factual error. It reports that two of the original Watergate defendants have not yet been tried, apparently a confusion with the fact that two remain to be sentenced.

parture.

Last September, during a leisurely lunch at the Hay-Adams Hotel here, Helms shook his head at the unfolding revelations of the Watergate scandals. Speaking sympathetically of acting FBI Director L. Patrick Gray's plight, he remarked:

"Can you imagine the pre-

dicament of a new FBI director coming into office and having this thing break over his head?"

But since then the scourge of Watergate has cut a great swath through the ranks of public men in Washington. And it is now Helms who stands under its shadow.

NEW YORK TIMES
16 May 1973

Text of a Statement on Testimony by Walters

Special to The New York Times

WASHINGTON, May 15—
Following is the text of a statement by Senator Stuart Symington, acting chairman of the Senate Armed Services Committee, on White House links to Central Intelligence Agency actions:

In sworn testimony before the Senate Armed Services Committee yesterday, Monday, May 14, the deputy director of the C.I.A., Lieut. Gen. Vernon Walters, testified to a remarkable series of events:

On June 23, 1972, General Walters, who has been at the C.I.A. about six weeks, said he was asked to go to the White House with C.I.A. director Richard Helms at 1 P.M. that afternoon. There they met with Mr. H. R. Haldeman and Mr. Ehrlichman in the latter's office.

General Walters said he was told by Mr. Haldeman that the Watergate incident might be exploited by the opposition, and that it had been decided that he, Walters, should go to the acting F.B.I. director, Mr. Patrick Gray, and should tell Mr. Gray that if the F.B.I. pursued an investigation of certain funds in Mexico, connected with the Watergate case, this inquiry would compromise certain C.I.A. activities and resources in Mexico.

Mr. Haldeman specifically bypassed General Walters's superior, Mr. Helms, in asking that only General Walters visit Mr. Gray.

Agreement With Gray
General Walters further testified that an appointment with Mr. Gray was made for him immediately, and that he went to see Mr. Gray an hour later. According to his testimony, he told Mr. Gray that senior people at the White House, whom he did not name, had told him that pursuit of the investigations of Mexican financing would uncover some of the agency's clandestine activities. Mr. Gray reportedly responded that he was aware that the F.B.I. and C.I.A. do not uncover one another's sources and operations.

General Walters states, however, that on his return to the agency he checked and discovered that investigation of the Mexican financial affair would not compromise any C.I.A. clandestine assets.

General Walters testified further that Mr. John W. Dean 3d called him on the

following Monday, June 26, and wanted to talk with him about the substance of his conversation with Mr. Haldeman and Mr. Ehrlichman the previous Friday.

Mr. Dean reportedly said that General Walters could call Mr. Ehrlichman to insure that it was all right to talk with him. General Walters then called Mr. Ehrlichman who told him that he could speak with Mr. Dean.

General Walters then testified that at 11:45 A.M. that same day, June 26, he went to see Mr. Dean. Mr. Dean reportedly received him alone. General Walters stated that he told Mr. Dean that after talking with Mr. Gray he had looked into the matter and that the agency was not compromised in any way in the Watergate bugging and that there was no C.I.A. involvement in the case.

Helms Is Informed

Following this Monday meeting, General Walters stated that he returned to the C.I.A. and told Mr. Helms of his conversation with Mr. Dean, and of his denial of any agency involvement in the Watergate case.

According to General Walters, Mr. Helms told him that he had handled the situation just right. General Walters also testified that he constantly checked with Mr. Helms during the following events and that Helms assured General Walters that he was acting correctly.

The next day, June 27th, Mr. Dean reportedly called General Walters again went to see him at his office. Mr. Dean reportedly asked if there was some way the C.I.A. could go bail or pay the salaries of the individuals accused in the Watergate case while they were in jail.

General Walters stated that he told Mr. Dean that there was no way this could be done, that any internal expenditure of funds by the C.I.A. must be reported to the House and Senate oversight committees. General Walters stated that he told Mr. Dean that to spend funds in this way would implicate the agency, and that he, General Walters, was prepared to resign rather than to do this.

General Walters testified that the next day, June 28, Mr. Dean called him again, and that he went to see Mr. Dean for a third time. Mr. Dean reportedly asked if there could have been some

C.I.A. involvement that General Walters did not know about. General Walters said he stated that there could not be.

At one point in the conversation, according to General Walters, Mr. Dean asked if General Walters had any ideas, and General Walters replied, yes, that anyone who was responsible should be fired.

Nixon Visit Threatened

General Walters further testified that he told Mr. Dean that he would have no part in attempting to compromise the C.I.A. in something in which it was not in fact compromised. He said that, if ordered to do so, he would ask to see the President and to explain to him how dangerous he thought such an action would be.

On July 5th, General Walters received a call, according to his testimony, from Mr. Patrick Gray, the acting director of the F.B.I. Mr. Gray, referring to his previous conversation with General Walters, reportedly said that he could not stop the investigation of the Mexican financing unless he received a letter from the director or General Walters stating that such an investigation would damage the agency's assets in Mexico.

General Walters testified that he then went to see Mr. Gray the next day, July 6th, and told him that he had checked this matter and discovered that such an investigation would not endanger any C.I.A. assets, that the C.I.A. was totally unconnected with the matter, and that the C.I.A. had no interest in stopping any investigation.

He then testified that he told Mr. Gray the story of his meeting with Mr. Haldeman and Mr. Ehrlichman, and that he had been told to convey his previous message to Mr. Gray. General Walters testified that he repeated to Mr. Gray his determination to resign if there was an attempt to compromise the C.I.A. in this matter.

According to General Walters' testimony, he saw Mr. Gray again on July 12 at the F.B.I. office, and gave him some additional information regarding material which had already been made available to Mr. Gray with regard to the C.I.A.'s contact the previous year with Mr. Hunt.

Finally, General Walters testified that in late January or early February, 1973, he told Dr. Schlesinger in a general way of the above matters. He testified that, shortly thereafter, Mr. Dean called Dr. Schlesinger and asked if the C.I.A. could have returned from the F.B.I. the package of material that had been sent to the F.B.I. regarding the assistance furnished to Mr. Hunt the previous year.

He testified that he, Mr. Colby, and Dr. Schlesinger discussed the matter and agreed that there was no way this could be done—that it would implicate the C.I.A. in something it was not implicated in.

General Walters then testified that he went to see Mr. Gray that morning—he did not have the date available,—and told him of the request by Mr. Dean, and of the C.I.A.'s decision.

He testified that he thought he later went to Mr. Dean and told him also, that there was no way the C.I.A. could have this material returned.

With respect to this testimony, I would like to say the following, based upon the facts we have uncovered to date:

"As I stated yesterday, it is clear that senior White House officials were deeply involved in attempts to entangle the C.I.A. in the Watergate affair and thus take the pressure off those who were really responsible.

"Because of security clearance and questions with respect to verbatim release of statements which might affect legal proceedings, I do not know when the full transcript of our hearings can be made public. Under those circumstances, I thought this narrative account should be made public.

"It is very clear to me that there was an attempt to unload major responsibility for the Watergate bugging and cover-up on C.I.A. Under these difficult circumstances and heavy pressures, I believe that Director Helms and General Walters, who was at all times cooperating with the approval of Mr. Helms, behaved very well with respect to this attempt.

Our inquiry of this and other related matters is continuing and we expect to hear testimony from Mr. Helms this Thursday.

WASHINGTON POST
15 May 1973

Mexican Episode Involved

By Laurence Stern

Washington Post Staff Writer

Three of President Nixon's highest-ranking White House aides sought to persuade the Central Intelligence Agency to call off—on national security grounds—an FBI investigation into the Watergate scandal's "Mexican Connection."

This testimony was given to a closed session of the Senate Armed Services Committee yesterday by the CIA's deputy director, Lt. Gen. Vernon A. Walters, it was learned.

Walters said the proposal was made to him at a White House meeting to which he was summoned by presidential aides H. R. Haldeman, John D. Ehrlichman and John W. Dean III.

The CIA official, who is expected to be summoned imminently before a federal grand jury to tell the story, said the then CIA Director Richard M. Helms refused to go along with the plan and the White House was so informed.

The case involved the \$100,000 or more in Nixon re-election funds that were "laundered" through a Mexico City bank and ended up ultimately in the safe of Maurice H. Stans, chief presidential fund-raiser in 1972.

Walters, according to qualified sources, testified that the three White House advisers told him they wanted the agency to tell the FBI that an investigation of the Mexican money would jeopardize CIA operations.

When he relayed the suggestion to Helms, said Walters, the former director decided that there was no basis for the request to the FBI.

The Mexican money incident was one example of what one authoritative source described as a "continuing pattern" of White House efforts in 1972 to involve the CIA in Watergate cover-up activities, as depicted in yesterday's testimony.

Walters was accompanied to the hearing by outgoing CIA Director James R. Schlesinger, Director-designate

William E. Colby, the CIA's present director of clandestine operations, and Marine commandant Gen. Robert E. Cushman Jr., who preceded Walters as CIA deputy director.

Acting Armed Services Chairman Sen. Stuart Symington (D-Mo.) said he was surprised to learn of Haldeman's implication in the case.

"The CIA was asked to provide help on other matters beyond the Ellsberg case by the White House staff," Symington said after today's closed session. "We found out that Haldeman was very heavily involved."

Dean had been implicated in secret testimony Friday dealing with White House pressures on the agency, it was learned.

The time sequence of the attempted intercessions was not clear. They occurred, according to one qualified source, "at a time when these guys were frantically trying to get off the hook and get other guys on the hook"—presumably after disclosure of the Watergate break-in last June 17.

Both Symington and Sen. Sam Nunn (D-Ga.) praised the CIA for standing up to the alleged White House pressures to assist in covering up the Watergate trail.

One of the subjects covered by the committee in its questioning of the CIA witnesses was a memorandum to federal prosecutors by convicted Watergate conspirator James W. McCord Jr., who said he had been urged by his previous counsel to claim that the Watergate break-in was a CIA operation.

The lawyer, Gerald Alch of Boston, denied in an interview last week that he had made any such proposal to McCord. The attorney said he merely asked McCord about possible CIA implication because, on the basis of government-produced evidence, McCord had once intimated that the break-in team consisted of CIA employees.

It was disclosed last week that Ehrlichman in July, 1971 had asked then CIA Deputy Director Cushman to give undercover assistance to Watergate conspirator E. Howard Hunt for an undisclosed mission that even Hunt would not divulge to the CIA. The assistance, spy equipment and secret phone numbers, were provided. The mission, it turned out, was the burglary of Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding of

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17 May 1973

Nixon Name Used To Pressure CIA

By William Claiborne

Washington Post Staff Writer

Several high White House aides invoked the name of President Nixon when they asked the Central Intelligence Agency to help cover up the Watergate scandal and assist key conspirators. Sen. John L. McClellan (D-Ark.) disclosed yesterday.

For that reason, McClellan said, Richard M. Helms, who was then CIA director, and other intelligence officials did not inform either Congress or the President about the requests.

McClellan said they "wanted to go as far as they could to accommodate the President" because the requests had come from such high offices of the Executive Branch.

"Some things went too far and they put a stop to it," McClellan said after listening to three hours of testimony by Helms in a closed Senate Appropriations subcommittee hearing.

Helms, who is now ambassador to Iran, emerged from the hearing room with his jaw tightly clenched and bored through a crowd of newsmen to a waiting car without making a comment about the first of at least three scheduled appearances before Watergate-related investigating panels.

But McClellan later reviewed Helms' testimony, and then angrily accused the White House of violating the National Security Act by trying to pressure the CIA into covering up financial manipulations connected with Watergate.

Referring to the 1947 act that prohibits the CIA from domestic intelligence work, McClellan said, "I'm satisfied the CIA made a mistake. I'm satisfied that the CIA was imposed upon."

McClellan also implicitly

Beverly Hills, Calif.

The names of Haldeman and Dean had not come up in the course of last week's public revelations.

Senators who attended yesterday's closed session were extremely reluctant to divulge details. "We are dealing with what may well be serious criminal violations by high-ranking officials," commented one committee member. "Whatever we say now could probably jeopardize any future criminal prosecutions."

criticized Helms for his silence over a two-year period, saying that when it became obvious "a cloud was being passed over the agency" the former CIA director had an opportunity to complain about the pressures brought to bear by the White House.

But he reserved his most stinging criticism for former presidential aides H.R. (Bob) Haldeman, John D. Ehrlichman and John W. Dean III, calling their actions "beyond impropriety."

Two major White House requests of the CIA to assist in apparent conspiracies were met, McClellan said, and a third was refused. Only one of the three requests, he said, was personally approved by Helms, and that was done "reluctantly."

"Mr. Helms and his assistants were seriously imposed upon and they undertook to mitigate those impositions by doing as little as they could, and finally they did refuse," McClellan said.

The first CIA involvement, with Watergate figures, McClellan quoted Helms as testifying, occurred when the agency provided E. Howard Hunt and G. Gordon Liddy with disguises, burglary tools and electronic surveillance equipment that were used to break into the offices of Pentagon Papers defendant Daniel Ellsberg's psychiatrist.

McClellan said Helms did not know the equipment had been provided—at Ehrlichman's request—until "some time later, when Hunt began making more requests for CIA assistance."

Helms, according to McClellan, ordered former Deputy CIA Director Gen. Robert E. Cushman to stop providing equipment to Hunt.

McClellan said the next request came when David L. Young, a National Security Council staff member, asked the CIA for a psychological profile on Ellsberg.

Helms "reluctantly went along" with that request, McClellan said, even though he "didn't think it was quite proper by reason of the source."

Former presidential aide Egil Krogh Jr. has said in a sworn statement that the

NEW YORK TIMES

12 May 1973

CUSHMAN ACCOUNT

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, May 11 —

Gen. Robert E. Cushman Jr. said today that Richard Helms, his superior at the Central Intelligence Agency in 1971, had "assented" to agency assistance to E. Howard Hunt Jr., one of the conspirators in the Watergate case.

Mr. Helms, now Ambassador to Iran, was Director of Central Intelligence at the time the agency, in the summer of 1971, provided disguises and equipment to Hunt, upon the request of the White House.

The materials supplied to Hunt were used for the break-in at the office of Dr. Daniel Ellsberg's psychiatrist on Sept. 3, 1971, in Beverly Hills, Calif.

General Cushman, now commandant of the Marine Corps, confirmed today that as Deputy Director of Central Intelligence, he had ordered agency materials made available to Hunt.

But he said that a few days after doing so, he reported his actions to Mr. Helms and "he assented to what I had done."

The general's account of C.I.A. involvement with Hunt was made in a three-page sworn affidavit that he personally presented today to three separate Congressional committees. He cut short a Euro-

ary Helms flatly denied any CIA involvement in Watergate, McClellan said, "He did not relate this to the Watergate."

Hruska chided reporters for attaching the "Watergate" label to every allegation of White House misfeasance. He claimed that at the time of the confirmation hearings Helms did not connect the requests made to the CIA to the break-in at Democratic National Headquarters.

McClellan conceded that he "didn't intend to put (Helms) through the grill" during the hearing. He said that he and other subcommittee members had little time to prepare questions and that Helms was testifying mostly from memory.

However, McClellan said he probably will seek more testimony from Helms at a future date. He said he also planned to seek testimony from Haldeman, Ehrlichman and Young.

Helms, meanwhile, is scheduled to testify at 10 a.m. today before the Senate Armed Services Committee and sometime later before a federal grand jury here and the Senate Select Subcommittee investigating the

span tour to appear before the committees.

Helms's Rule Widened

His comments about having informed his superior of what he had done would appear to indicate that Mr. Helms was more fully aware of agency involvement in the Watergate and Pentagon papers cases than had previously been suggested.

Earlier this week, current C.I.A. officials disclosed that agency preparation of a personality assessment of Dr. Ellsberg, a defendant in the Pentagon papers trial, had been made with the approval of Mr. Helms.

But, until today, it had been widely assumed that Mr. Helms may have been unaware that General Cushman had agreed to a request by John D. Ehrlichman, at that time a key White House aide, for C.I.A. assistance to Mr. Hunt.

Senator J. W. Fulbright, in a television interview sponsored last night by the National Public Affairs Center, said that Mr. Helms had assured him earlier this spring that the agency had not had anything to do with the Watergate affair.

The Arkansas Democrat said that when Mr. Helms appeared before the committee for confirmation hearings on his appointment as Ambassador, "I asked him specifically during his examination, did the C.I.A. have anything to do with any of this Watergate, and he said not."

It is understood that the secret transcript of the Senate Foreign Relations Committee on the Helms confirmation hearing confirms Senator Fulbright's comment.

Hunt pleaded guilty last Jan. 10 to having taken part in the bugging of Democratic headquarters in the Watergate complex last year. He received a provisional 35-year prison term. The sentence could be reduced later if Hunt is found to have cooperated in the current Watergate investigations. He has also admitted taking part in the office burglary of Dr. Ellsberg's former psychiatrist in Los Angeles.

General Cushman, resplendent in full uniform with row upon row of battle ribbons and a sharpshooter's medal, marched from one Congressional committee to another for what turned out to be day-long interrogations.

He appeared first before a House Armed Services Subcommittee, headed by Lucien N. Nedzi, Democrat of Michigan; then before a Senate appropriations subcommittee, headed by John L. McClellan, Democrat of Arkansas; and finally before the Senate Armed Services Committee, of which Stuart Symington, Democrat of Missouri, is temporary chairman.

All three committees are inquiring into the issue of

whether the C.I.A. exceeded its authority by becoming involved in domestic undercover operations. The agency's charter precludes it from internal security functions.

The committee meetings were closed, but the general's sworn affidavit was made public after each session.

Senator McClellan said that his appropriations subcommittee hoped to hear testimony next week from Mr. Helms, who is in Iran.

Senator Henry M. Jackson, Democrat of Washington, after hearing the Cushman testimony before the Armed Services Committee, said, "I don't think the C.I.A. violated the law. I think the White House violated the law."

Senator Symington, too, indicated that he believed that the White House request for the agency's assistance was improper.

In his affidavit, General Cushman said that on July 7, 1971, Mr. Ehrlichman called him from the White House and said that Hunt had been made a consultant on security matters. He said that Mr. Ehrlichman asked that the agency give Hunt some assistance.

General Cushman, a military aide to President Nixon when Mr. Nixon was Vice President, said that he has known Mr. Ehrlichman for 10 or 12 years and respected him highly.

"I also knew that [Mr. Ehrlichman] was one of the three chiefs of staff, as it were, to the President and that therefore he spoke with the authority of the President's name," General Cushman said.

The general said he was aware that leaks of intelligence information were of great concern within the government at that time and that Mr. Ehrlichman had been named "within the White House as the man in charge of stopping security leaks and overhauling the security regulations."

In view of that, the general continued, he concluded that Hunt had been hired by the White House to act in the security field and that the C.I.A. was being ordered to assist him.

He said that Hunt appeared in his office on July 22, 1971, and said that he had "a very sensitive one-time interview that the White House wanted him to hold" but that he dared not reveal his identity.

General Cushman also noted that Hunt was "a highly respected and honorably retired C.I.A. employe of 20 years' service."

The general said that he was unable to discover any details of the plan. He said Hunt told him that he was under White House orders not to reveal the nature or scope of the planned interview and not to reveal the fact that he even worked for the White House.

"He did assure me, however, the general said, "that he was working to be a good purpose in the interests of the country." About a month after giving Hunt a wig and other disguise

profile provided no useful information to a special White House security squad called "the plumbers," and for that reason the burglary of the psychiatrist's office was planned by Hunt and Liddy.

The third White House attempt to involve the CIA in the Watergate scandal was made last June 23 by Haldeman to Helms and his deputy, Lt. Gen. Vernon Walters, McClellan said.

McClellan said Helms testified that Haldeman "suggested to him that Gen. Walters go to see the director of the FBI and ask them to call off the investigation into the Mexican money journey."

He was referring to the \$100,000 check that was "laundered" through a Mexico City bank, proceeds of which ended up in the safe of Nixon fund-raiser Maurice H. Stans. The money figured in bankrolling the Watergate break-in and other political espionage operations of the Committee for the Re-election of the President.

Walters testified before another Senate subcommittee on Monday that he told Dean three days later that he would resign if ordered by the White House to compromise the CIA in the Watergate case.

McClellan said yesterday that it was Helms who ordered Walters not to get involved in asking Acting FBI Director L. Patrick Gray to cover up the probe. McClellan said Helms was convinced that the FBI investigation of the Mexican connection would not interfere with the CIA's operatives in Mexico, which he said had been suggested by Haldeman.

McClellan and Sen. Roman L. Hruska (R-Neb.) repeatedly emphasized Helms' reluctance to become involved in a Watergate cover-up. Another subcommittee member, Sen. John Pastore (D-R.I.), described Helms as "quite hurt that his reputation has been tainted after 40 years (of government service)."

However, when asked why Helms did not take his concerns to President Nixon while his agency was allegedly being pressured by Haldeman and Ehrlichman, McClellan said:

"He remained silent. He didn't feel that he was called on to go to the President. He didn't want the CIA involved."

When reminded that in at least three confirmation appearances before the Senate Foreign Relations Committee last January and Febru-

materials and various equipment, and alias identification papers, the general said, he found that Hunt "was becoming more and more unreasonable and demanding" and going far beyond what seemed necessary for "a one-time interview."

At that point, the general said, he stopped "all relationships" with Hunt and so informed Mr. Ehrlichman.

He said he also told Mr. Ehrlichman "that in my opinion, Mr. Hunt was of questionable judgment" and with that left Mr. Ehrlichman to do "as he deemed proper."

WASHINGTON POST

15 May 1973

Soviets See Anti-Nixon Plot in U.S.

By Dan Morgan

Washington Post Foreign Service

BELGRADE, May 14 — Soviet representatives in Eastern Europe have told Westerners that the Watergate scandal appears to them to be a "conspiracy" by powerful forces in the United States opposed to detente with Moscow.

The plot theory has been floated by a number of Soviet journalists and Communist editors regularly based in Belgrade, Bucharest, Warsaw and Moscow. According to this theory, reactionary American elements, which have never accepted the rapprochement with the Communists initiated by Mr. Nixon, have organized a plot to discredit him.

The Watergate case seems to have baffled and dismayed Communist representatives. Mr. Nixon is an admired figure in all official circles of Eastern Europe. His name is linked to pragmatic American efforts to increase trade and tone down the ideological debate between East and West. Tangible proof of Soviet confidence in Mr. Nixon's ability to survive the Watergate crisis was given this weekend when dates for Soviet party leader Leonid I. Brezhnev's visit to the United States next month were announced.

The concern in Communist circles over Mr. Nixon's position was perhaps summed up best by a Polish editor who was explaining the scant coverage of the Watergate affair in the Polish news media.

"From our standpoint, Richard Nixon is the best possible American president in the current circumstances, and we don't want to see him embarrassed."

"Soviets who accept the conspiracy theory are unimpressed by evidence that the earliest assailants of the administration's handling of Watergate were liberal newspapers which supported East-West bridge building even before Mr. Nixon did.

For instance, one Soviet journalist insisted that The Washington Post must have had powerful forces supporting it in order to have conducted the kind of investigation it did.

"It couldn't have done it on its own," he asserted. The same journalist suggested that "a Rockefeller" could stop the process of detente if he wanted to. He did not specify whether he was referring to Gov. Nelson Rockefeller or to Chase Manhattan's David Rockefeller, who is probably better known in the Soviet Union as a symbol of American capitalism.

Soviet representatives seem genuinely confused by the scandal itself and puzzled by the implications that Americans draw from it. One Soviet journalist paled visibly when told by an American here that there might be a "10 per cent chance, no more" of Mr. Nixon's resigning.

The conspiracy theory may have been hastily drawn up by Soviet representatives as a plausible explanation for an implausible state of affairs in Washington. The Soviet leadership has only recently dealt with its own reactionary elements by dumping several apparent opponents of detente from high positions. Thus, it may be natural for Soviets to assume that such opposition exists in the United States as well.

On this point, Western experts in Moscow say that the extent of support for Mr. Nixon's foreign policy in the United States has been consistently underestimated by East Europeans and Russians raised in the atmosphere of sustained cold war. So it is natural for Russians to worry now about "powerful forces" upsetting this process.

There is nothing to indicate that Brezhnev accepts the Watergate plot theory against Mr. Nixon. Western diplomats believe he receives excellent information on the Washington scene from Ambassador Anatoliy Dobrynin.

Therefore the circulation of the plot theory by Soviet representatives raises the question whether it may itself be an attempt to warn liberals and other supporters of the East-West dialogue against any steps that could make detente a casualty of the Watergate affair.

WASHINGTON POST
12 May 1973

Charges Dismissed In 'Papers' Trial

By Sanford J. Ungar

Washington Post Staff Writer

LOS ANGELES, May 11—U.S. District Court Judge W. Matt Byrne Jr., citing governmental misconduct so severe as to "offend the sense of justice," ended the Pentagon Papers trial of Daniel Ellsberg and Anthony Russo Jr. today and dismissed all criminal charges against them.

After two weeks of sensational disclosures, including news of a White House-directed burglary of Ellsberg's psychiatrist's office and of government wiretaps for which all records have disappeared, Byrne said, "there remain more questions than answers" about how seriously the defendants' constitutional rights were violated.

The judge blamed various government agencies, including the Central Intelligence Agency, for taking "an unprecedented series of actions" against Ellsberg after he was originally indicted almost two years ago for leaking the Pentagon Papers.

But Byrne said his ruling was also based on the fact that government prosecutors had "time and again failed" to comply with his court orders to produce materials from government files that tended to exculpate, or establish the innocence of, Ellsberg and Russo.

He declared that they "should not have to run the risk of being tried again before another jury."

"No investigation," Byrne said, "is likely to provide satisfactory answers where improper government conduct has been shielded so long from public view and where the government advises the court that pertinent files and records are missing or destroyed. My duties and obligations relate to this case and what must be done to protect the right to a fair trial."

Byrne's ruling, which took 15 minutes for him to read from the bench this afternoon, brought pandemonium in his courtroom. As he strode back to his chambers, there was applause and whoops of joy from Ellsberg's and Russo's staff and supporters.

There was also discreet pleasure at the Justice Department in Washington, where high officials had come to believe that the Pentagon Papers trial, while important to President Nixon's effort to stem leaks of "national security information" from the federal bureaucracy, was hopelessly entangled with the Watergate affair.

Specifically, Byrne granted both a mistrial and a dismissal of the indictment which charged Ellsberg and Russo with conspiracy, espionage and theft of government property. He said he had determined that to grant a mistrial alone, leaving open the possibility for a new trial, "would not be fair."

The only way that the Justice Department could now move to retry Ellsberg and Russo on the charges here would be to appeal Byrne's decision on dismissal to the Ninth U.S. Circuit Court of Appeals in San Francisco, which it is entitled to do.

But legal observers pointed out that such an appeal is unlikely to be taken—and that it would probably not succeed—because Ellsberg and Russo had already been placed in "jeopardy" of conviction on the offenses charged.

The Fifth Amendment to the Constitution dictates that no person "shall . . . be subject for the same offense to be twice put in jeopardy of life or limb. . . ."

Unlike an occasion last year when a mistrial was declared in the Pentagon Papers case, Ellsberg and Russo did not seek a mistrial this time, nor did they file a "waiver" of their rights against "double jeopardy."

Whatever the strict legal posture of the situation, Justice Department sources said that as long as Richard G. Kleindienst remains Attorney General—he has resigned from the Cabinet because people close to him are under investigation in the Watergate affair—Byrne's decision certainly will not be appealed.

But the sources stressed that the final decision will be up to Attorney General-designate Elliot L. Richardson,

whose nomination is before the Senate Judiciary Committee, on the basis of advice from Solicitor General Erwin N. Griswold.

It was uncertain, however, whether the Justice Department would renew a separate grand jury investigation in Boston, suspended since last December, which focused on Ellsberg's distribution of the Pentagon Papers to The New York Times, The Washington Post and other newspapers.

(The charges here focused only on Ellsberg's and Russo's actions in late 1969, when they photocopied the top-secret Pentagon study at a Hollywood advertising agency, and their "conspiracy" which the government said continued into late 1970.)

A jury of 10 women and two men had been hearing the evidence against Ellsberg and Russo and in their defense, since mid-January.

The jurors were sent home for a week last Tuesday, while Byrne weighed the tangle of disclosures concerning the government's investigations of Ellsberg. This afternoon, they were notified by telephone that they would not have to bother returning to court next week.

Attorneys on both sides of the case had already expressed their misgivings that the jury, which was not sequestered, had been insulated from information about the recent sensational developments.

The Ellsberg-Russo defense fought to the last moment for a ruling from Byrne on its motion for a directed verdict of acquittal based on the assertion that the government's evidence was insufficient to sustain a conviction.

Russo, for his own part, repeatedly instructed his attorney Leonard I. Weinglass, that he wanted the case to go to the jury in order to vindicate his and Ellsberg's conduct in releasing to the public the secret history of American involvement in Southeast Asia.

Before Judge Byrne dismissed the case this afternoon, he indicated that if he were to rule on the motion for a directed verdict of acquittal, he would acquit the defendants on some counts, but send other counts to the jury for a verdict.

He gave the defendants time to consult with their attorneys on whether they wanted to have him follow that course or rule on the dismissal motion.

After a moment, chief defense counsel Leonard B. Boudin said, "The defendants do press their motion, based on the totality of government misconduct." It was then that Byrne delivered his ruling.

While scolding the prosecution generally, the judge seemed to indicate that he viewed most seriously the revelation on Thursday that Ellsberg had been overheard in late 1969 and early 1970 in a wiretap on the Bethesda, Md., residence of Morton H. Halperin, then a consultant to the National Security Council and more recently "chief of staff" for the Ellsberg-Russo defense.

"Of greatest significance," Byrne said, was the discovery that the Justice Department and Federal Bureau of Investigation had lost or destroyed records of the wiretap on Halperin.

Byrne acknowledged during his ruling that the charges against Ellsberg and Russo "raise serious factual and legal issues that I would certainly prefer to have litigated to completion." Among those issues is the question of whether the statutes against conspiracy and theft of government property can be used to punish leaks of classified information.

But the judge said that, "The conduct of the government has placed the case in such a posture that it precludes the fair dispassionate resolution of these issues by a jury."

He suggested that the disclosures may have provided "only a glimpse" of the government's actions against Ellsberg, but added that what he had already learned was "more than disquieting."

With a trace of regret and disappointment in his voice, Byrne said that his responsibilities dealt "solely and

only" with this case, and that he had no mandate or authority to launch a broader probe into the Watergate affair.

Although pressed repeatedly by Byrne over the past two days, chief prosecutor David R. Nissen had been unable to come up with more details on the wiretap or the missing records. This afternoon, the judge said he was willing to wait no longer.

At other times during the past two weeks, it had been disclosed that:

- A burglary squad reporting directly to the White House broke into the Beverly Hills office of Ellsberg's psychiatrist, Dr. Lewis Fielding, as part of a scheme to determine Ellsberg's "prosecutability."

- The Central Intelligence Agency, in possible violation of its legal authority, provided technical assistance to the burglars over a five-week period.

- The entire operation grew out of President Nixon's personal directive for an urgent investigation—outside the normal channels of the FBI—to identify the sources of leaks of "national security information."

- Convicted Watergate conspirator E. Howard Hunt Jr., a member of that operation, forged two official State Department cables to implicate the late President Kennedy in the 1963 assassination of South Vietnam President Ngo Dinh Diem.

- Byrne was approached in the midst of the Pentagon Papers trial by former chief White House domestic adviser John D. Ehrlichman about accepting the permanent directorship of the FBI.

During a court session this morning, defense attorneys for Ellsberg and Russo made a concededly half-hearted argument for dismissal of the case.

Boudin and Weinglass asserted that legal precedent supports a dismissal when the government has failed to produce the logs and other records of a wiretap.

"The government has engaged in an act whose legality it cannot even seek to establish," Boudin told the judge. "The government has destroyed the records or made them disappear."

Referring to allegations that records of "national security" electronic surveillances were removed from the FBI's files in 1971, Boudin said, "It makes no difference whether it was the White House, the Justice Department or the FBI" which conducted the wiretap that overheard Ellsberg—"although, apparently, one was subject to robbery by the other."

Weinglass contended that once any records of the wiretap were produced, the defense is legally entitled to inspect them and help in the court's determination of whether the surveillance was related to the case and had "tainted" the prosecution evidence.

On the contrary, argued chief prosecutor Nissen, the government should have the opportunity to demonstrate that it had an "independent origin" for all of its evidence.

But the thrust of defense arguments today was an appeal that Byrne not conclude the controversial case without first mounting a full investigation of the wiretap and other "governmental misconduct" and settling the complex legal issues involved by acquitting Ellsberg and Russo of all charges.

Weinglass suggested that acting FBI Director William Ruckelshaus's last-minute discovery of an FBI employee who remembered that Ellsberg had been overheard in a wiretap was "a White House attempt to divert the court" from more embarrassing disclosures.

"It is very possible," he argued, that "this (FBI) agent is a person assisting the government to get out from a very uncomfortable situation."

Boudin said after the judge's ruling that there was great concern in advance that Byrne might restrict himself to the wiretap issue in his dismissal, but he conceded that the ultimate decision was "the very broadest opinion we could have hoped for."

His co-counsel, Harvard law school Professor Charles R. Nesson, added that Byrne "really stuck it to them."

WASHINGTON POST
12 May 1973

McCord Felt Mitchell Made Bugging Legal

By John Hanrahan
Washington Post Staff Writer

Convicted Watergate conspirator James W. McCord Jr. has sworn that he considered the Watergate break-in and bugging legal because he had received assurance that the operation had been cleared by then-Attorney General John N. Mitchell and then-presidential counsel John W. Dean III.

Had he not been so assured, McCord said, "I would not have participated." The assurances, he said, came early in 1972 from G. Gordon Liddy, then counsel to the Finance Committee to Re-elect the President and later convicted with McCord in the Watergate conspiracy trial.

McCord said he had determined that "had the operations been clearly illegal, he (Mitchell) being the top government lawyer and Mr. Dean being the top government lawyer within the White House . . . would have turned them (the plans) down at the first meeting, which was not done according to Mr. Liddy."

McCord's statements came in a wide-ranging, 383-page deposition given April 30 and May 1 in connection with civil suits that grew out of the Watergate break-in last June. The deposition was made public late Thursday.

Much of the information in the deposition had been previously reported, but attributed to sources who knew of McCord's testimony. In the deposition, McCord provides many additional details and publicly sheds light on what he describes as his own motives in joining the Watergate break-in gang and for finally deciding to cooperate with the government to implicate former high White House and administration officials.

As previously reported, most of the information linking Mitchell, Dean and others to the Watergate bugging came second-hand from Liddy, McCord said.

McCord also explained further the points he made in a letter to Judge John J. Sirica of the U.S. District Court in March when McCord agreed to cooperate with the continuing Watergate investigation.

In his deposition, McCord states, among other things, that:

"Mitchell provided the impetus for the second Watergate break-in at which the arrests were made June 17. Mitchell, according to

Liddy, was impressed by the photographed documents that resulted from the first Watergate break-in during which the phone bugs were planted on Memorial Day weekend, and "desired a second entry operation to do more photographic work" in Democratic National Committee headquarters.

"Mitchell, according to Liddy, also wanted information of a "blackmail nature" that supposedly was in the possession of Hank Greenspun, publisher of the Las Vegas Sun, for use against presidential candidate Sen. Edmund Muskie (D-Maine). Plans were made, but never carried out, to break into Greenspun's office and photograph the alleged documents. (Greenspun could not be reached for comment).

"Jeb Stuart Magruder, former deputy campaign director under Mitchell at the Committee for the Re-election of the President, lied in his testimony at the Watergate trial in January when he said he had no advance knowledge of the Watergate bugging. McCord told the grand jury last month that Liddy, told him Mitchell, Dean and Magruder all had advance knowledge.

In earlier testimony before the grand jury, McCord had said that unnamed officials at the Committee for the Re-election of the President had tried to pressure fellow Watergate conspirator E. Howard Hunt to say that the break-in and bugging had been a CIA operation. McCord, in his deposition, reiterated his earlier denial that the CIA was involved.

In a more recent private memorandum to the Senate select committee that is investigating the Watergate affair and related political espionage, McCord said his own attorney, Gerald Alch, had tried to pressure him to say the bugging was a CIA operation. No mention of this is made in the deposition.

Alch yesterday said he was withdrawing as McCord's attorney. He denied putting any pressure on McCord, and said he had merely asked McCord whether there was any CIA involvement.

Alch said McCord did not at first deny CIA involvement in the Watergate bugging, so he asked McCord about it again a few days later in late December. At that second meeting, he said, McCord vigorously denied CIA involvement.

In his deposition, McCord explained why he had specifically said in his letter to Judge Sirica that the Watergate break-in and bugging was not a CIA operation.

He said he specifically mentioned this because of initial pressures on Hunt to use as a defense that the bugging was done for the CIA. Also, he said, he wanted to correct certain newspaper stories that had indicated it might have been a CIA operation because of the anti-Castro background of some participants.

In his memo to the select committee, McCord said that to describe the Watergate operation as a CIA project "would have had the effect of clearing the Committee for the Re-election of the President and the White House of responsibility for the operation."

He said that some of the Cuban defendants, particularly Bernard L. Barker, had heard that Cuban money possibly was coming into the Democratic National Committee "and therefore he inferred some national interest in the operation." But, McCord said, he never heard any of the defendants say they thought they were working for the CIA.

Instead, he said, the other defendants referred to it as a "Mitchell operation."

McCord said his references to perjury in his letter to Sirica referred only to Magruder. McCord said he and Liddy sat next to each other at the defense table at the trial and that both said to each other, "that man (Magruder) is perjuring himself."

Magruder's testimony was especially significant, McCord said, because it indicated "that Mr. Liddy was the beginning and the end of the case itself, that he financed it, that he was the director, that no one higher up than Mr. Liddy was involved in the case itself, that he ran it and that in effect he was the total package."

Magruder said this, McCord said, even though he personally had advance knowledge of the bugging and "had knowledge . . . of the superiors in the case beyond Mr. Liddy."

Asked in the deposition why he had decided to tell all he knew about the Watergate operation after the trial, McCord said the decision "involved a large

number of elements that I wouldn't be able to enumerate at this point. . . ."

But, he said, some of the factors had to do with "my conclusion as to what was best for me personally and best for my family, and . . . best for the country at this point in time in terms of stating what the truth of the entire matter was as opposed to what appeared to be the truth that had appeared up to that point in time."

Asked about the portion of his letter to Judge Sirica in which McCord expressed concern over possible retaliation "against me, my family and my friends" for deciding to tell all he knew about Watergate, McCord said:

"I worked in law enforcement for a large number of years and I know what can happen in terms of retaliation, whether we are speaking of physical retribution or whether we are talking about retribution in a wide variety of forms which the government or others can bring upon an individual, his friends, or his family, which can wreck careers, family fortunes and friendships and the reputations of innocent people who are not involved other than to be my friends or family."

Also, he said, he was concerned he might be "stabbed or killed" in prison.

McCord, former security coordinator for the re-election committee, said Liddy recruited him for the Watergate break-in and bugging team in early 1972.

He said Liddy had a budget approved by Mitchell, of more than \$225,000 for the job and that Mitchell, according to Liddy, had urged in mid-April that the operation get under way within 30 days.

McCord said he and Hunt paid several visits to the Watergate before the Memorial Day weekend break-in. The decision to go back a second time was made after Mitchell said he wanted more photographed documents.

Also, McCord said, one of the bugs placed on the telephone of Democratic National Chairman Lawrence O'Brien was not properly transmitting and Liddy wanted to correct that.

McCord said he thought that the bugging operation was legal because Liddy told him Mitchell, as attorney general had authority on his own signature to au-

thorize wiretapping either for domestic security or national security purposes. (The Supreme Court last year ruled domestic wiretaps illegal without prior court approval.)

Mitchell, according to Liddy, later received written reports on conversations monitored at Democratic headquarters, McCord said. McCord said Liddy's secretary, Sally Jackson Harmony, also knew about the

plans. In an earlier deposition, Mrs. Harmony said she had typed up the logs from the bugged conversations, but didn't realize what they were until after the Watergate arrests.

McCord recounted previously reported testimony that Hunt and his late wife, Dorothy Hunt, had tried to persuade him to plead guilty, keep quiet and get presidential clemency

within a year or so, plus payments for his family while he was in prison.

In all, McCord said, he received \$46,000 for legal fees and continuation of salary by the re-election committee from Mrs. Hunt, who served as an intermediary. Also, he said, he used for legal fees \$18,000 left over from the \$76,000 Liddy had given him to purchase equipment for the Watergate operation.

In addition to the Green-

spun plan that was never carried through, McCord said two attempts to get inside the headquarters of presidential candidate Sen. George McGovern (D-S.D.) failed.

At one point, McCord said, he also rented an office next to the D.C. headquarters of presidential candidate Muskie for possible use in some activity against Muskie, but nothing came of it.

WASHINGTON POST
12 May 1973

CIA Official Felt Aide Spoke for Nixon

By Laurence Stern
Washington Post Staff Writer

Gen. Robert H. Cushman Jr. said yesterday he assumed it was on President Nixon's behalf that former White House aide John D. Ehrlichman asked him to give Central Intelligence Agency undercover assistance to Watergate conspirator E. Howard Hunt.

The CIA paraphernalia—cameras, hidden tape recorders and wigs—was later used by Hunt in the burglary of Pentagon Papers defendant Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding of Beverly Hills, in September, 1971.

Cushman, who was the CIA's deputy director at the time, said that when Ehrlichman called him and requested the aid for Hunt, "I knew that he . . . spoke with the authority of the President's name."

"I had known Mr. Ehrlichman for a good 10 to 12 years and respected him highly as a man of complete honesty and devotion to duty," the four-star Marine general said of the former Presidential aide.

Cushman, who now serves as Marine Corps commandant, interrupted a European tour to present his testimony to a Senate Appropriations Subcommittee on Intelligence.

Afterward, subcommittee chairman John L. McClellan (D-Ark.) commented to newsmen: "I don't think he (Cushman) would do it again."

Cushman gave this explanation of how a White House call in July, 1971, triggered immediate and extraordinary cooperation from the CIA.

"Ehrlichman had been named within the White House as the man in charge of stopping security leaks and over-hauling the security regulations. The Central Intelligence Agency is charged with safeguarding

intelligence sources and methods.

"From these facts, I then drew the conclusion which I believe any reasonable man would have reached, namely that Howard Hunt had been hired by the White House to act in the security field and that the Central Intelligence Agency was being ordered to assist him," Cushman asserted.

Outgoing CIA director James R. Schelesinger has condemned the assistance to Hunt, provided before he assumed control of the agency from Richard M. Helms, as "ill-advised."

Immediate senatorial reaction was that although the CIA assistance to Hunt was improper, the fault lay with Ehrlichman, who resigned under fire two weeks ago from his job as President Nixon's domestic counselor.

"When a man is in the position of Ehrlichman, the first deputy to the commander-in-chief," said Sen. Stuart Symington (D-Mo.), acting Armed Services Committee chairman, "there are not many military officers who would not jump."

Under the CIA's charter, the National Security Act of 1947, the CIA is proscribed from dealing with any internal security matters: That is the province of the FBI.

Cushman said that when Hunt called upon him on July 22, 1974, he "stated that he had a very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not sure of and that he dare not reveal his, Hunt's, true identity."

He noted that "it must be recalled that Mr. Howard Hunt was a highly respected and honorably retired CIA employee of 20 years' service."

Nonetheless, said Cushman, White House wanted him to "I was not able to elicit any details of the interview which he stated that he had to conduct and he said that

on White House orders he was not to reveal the nature and scope of this interview nor the fact that he worked for the White House.

"He did assure me, however, that he was working to a good purpose in the interests of the country."

After the spy gear was issued to Hunt by the CIA's Technical Services Division, Cushman reported the matter to then-director Helms, according to his affidavit.

The decision to cut off the aid came, he said, because "Mr. Hunt was becoming more and more unreasonable and demanding and was attempting to go far beyond

the scope of the original instructions which I had given and which related to his statement that he had a one-time interview operation to conduct."

He ordered all relationships with Hunt discontinued, Cushman related, and informed Ehrlichman on August 27, 1971, that the assistance could be construed as improper for the CIA.

"I also advised him (Ehrlichman) that in my opinion Mr. Hunt was of questionable judgment. He should know better than to ask for such support," Cushman asserted. "Therefore, I made this recommendation to Mr. Ehrlichman for him to do with as he deemed proper."

WASHINGTON POST
11 May 1973

Young, Not Hunt, Sought Papers, Pentagon Says

Associated Press

A Pentagon spokesman reversed himself yesterday and substituted one former White House aide for another as the man who unsuccessfully sought access at the Defense Department to secret Pentagon Papers in the fall of 1971.

It was David Young, a resigned member of the National Security Council staff at the White House, and not convicted Watergate conspirator E. Howard Hunt, who personally wanted a look at the documents, spokesman Jerry W. Friedheim said.

While Young was turned down at the Pentagon, he arranged for Hunt to comb through cables at the State Department. Hunt has said in grand jury testimony that in 1971 he prepared two phony cables indicating

President John F. Kennedy was linked to the assassination of South Vietnamese President Ngo Dinh Diem in 1963.

Friedheim said another Watergate conspirator, G. Gordon Liddy, also made a personal visit to Pentagon counsel J. Fred Buzhardt, and was also turned down in his request for a peek at secret Vietnam-to-Washington communications.

Blaming the error on incomplete memories of Pentagon officials, Friedheim said, "We are not perfect."

Friedheim said the White House aides were turned down because of a standing Defense Department policy requiring that any request for information for government investigations come from the Justice Department.

WASHINGTON POST
12 May 1973

Gray Tells Probers He Alerted Nixon About Aides in '72

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

Former acting FBI director L. Patrick Gray III has told Senate investigators that, in July, 1972, he informed President Nixon that he was "confused" by the role of White House aides in the Watergate investigation and that their actions could lead to trouble for Mr. Nixon.

The President, according to Gray, replied only that Gray should continue to "go ahead and do your job." Gray also said that Mr. Nixon did not seek to learn more from Gray about the misgivings of the then-acting FBI director.

On Thursday, Gray met with Senate investigators and provided them with his account of a telephone conversation on July 6, 1972, with the President. Five different Senate sources provided almost identical accounts of Gray's statements about aspects of the Watergate investigation, including the conversation with Mr. Nixon.

According to the sources, Gray said that he began getting "confused" about the Watergate investigation on June 28, 11 days after the bugging of Democratic headquarters was discovered.

Gray, the sources said, had scheduled a meeting between CIA and FBI officials for that date because FBI agents were suspicious of CIA involvement in the bugging.

However, presidential assistant John D. Ehrlichman told Gray that morning that Gray could not hold the meeting and ordered him to cancel it. Senate sources said Gray told them.

The conversation with Ehrlichman, the sources said, occurred on the same day that Ehrlichman and presidential counsel John W. Dean reportedly handed the acting FBI director two file folders belonging to one of the Watergate conspirators and told Gray: "These should never see the light of day."

Gray told the Senate investigators that on July 5 he telephoned Clark MacGregor, then President Nixon's campaign manager, and urged MacGregor to tell Mr. Nixon of the unusual behavior of Ehrlichman and other presidential aides.

Gray, the sources said, decided to call MacGregor af-

ter discussing Ehrlichman's action with a high CIA official. Gray and the CIA official "both decided they should try to tell some higher authority that the FBI and CIA were being damaged in their respective missions because of this White House interference by Ehrlichman," one of the sources said. "They were concerned because somebody outside their organizations was calling the shots."

Within 30 minutes after talking to MacGregor, Gray told the investigators, he received a telephone call from Mr. Nixon, who opened the conversation by congratulating Gray on his handling of an airplane hijacking.

Then, Gray reportedly said, he told Mr. Nixon that he was "confused" by what appeared to be CIA involvement in the bugging and by certain actions he had been asked to take by presidential aides.

According to the sources, Gray told investigators he did not mention any specific names or instances to the President, and told him only that he could not understand some of the things he (Gray) was being asked to do.

One of the sources said Gray told the President that he was particularly concerned with "White House involvement" in making investigative decisions normally reserved for the FBI and quoted Gray as telling Mr. Nixon: "It could wound you."

Gray, the same source said, quoted the President as replying: "Keep up with your vigorous investigation," at which point the conversation ended.

Another source who has talked with Gray about the Watergate said that Gray's testimony to the Senate investigators shows "more and more incidents" that indicated that the orders from the White House "were to conceal and not get to the final bottom."

The sources agreed that

Gray said he has no evidence that the President had knowledge of a White House cover-up of the Watergate investigation.

Some news accounts last night reported that Gray, had in his appearance before Senate investigators, said that he had explicitly told President Nixon that White House aides were trying to "impede" the investigation and warned of a "cover-up" by the White House.

However, The Post's sources said that Gray did not point to any cover-up.

In a statement issued Monday and personally approved by the President, the White House denied specifically that Mr. Nixon had participated in any activities to cover up the Watergate bugging case.

Deputy press secretary Gerald L. Warren said in Key Biscayne, Fla., that "any suggestion that the President participated in any cover-up activity or activities is untrue."

On Tuesday, press secretary Ronald L. Ziegler was told that the Warren statement did not deny "awareness" by Mr. Nixon of a cover-up.

Ziegler replied that the original statement "was not drawn to make a distinction between participation and awareness."

On Monday Warren had been asked whether his statement was subject to being declared "inoperative," as Ziegler had described earlier White House statements about the Watergate case.

Warren replied: "That was different... this came from the President."

In his April 30 speech, Mr. Nixon said that he had remained convinced until March of this year that the charges of involvement by members of the White House staff were false, and the denials true.

After setting in motion an investigation immediately after the break-in, Mr. Nixon said, he "repeatedly asked those who conducted the investigation whether there was any reason to believe that members of my administration were in any way involved."

"I received repeated assurances there were not," he said.

Mr. Nixon said that he discounted press reports that appeared to implicate officials of the administration or of his re-election committee because of the reassurances he received, because he believed the reports he was getting and because he had faith in those who gave them.

It was not until March, he said, that "new information" persuaded him of a real possibility that some of the charges were true, and that

"there had been an effort to conceal the facts, both from the public... and from me."

As a result, he said, he took responsibility on March 21, for "coordinating intensive new inquiries into the matter."

In a telephone interview last night, MacGregor, the former Nixon campaign manager, said that on July 5 he received a late-night call from Gray who warned him that there is "more to the Watergate than you know."

MacGregor quoted Gray as saying, "I wonder if you realize how serious Watergate is?" MacGregor added: "He (Gray) was obviously very agitated about something and said the Watergate was terribly serious and at times was somewhat irrational... he wanted to know when I would be back from Los Angeles."

MacGregor said that the conversation lasted from five to eight minutes and Gray repeated himself several times. After returning to Washington, MacGregor said that Gray never called him again to discuss the subject.

"I figured if the acting director of the FBI had something to say he would have called me, so I never called him," MacGregor said.

Gray was named acting FBI director on May 3, 1972, following the death of J. Edgar Hoover, but President Nixon did not formally nominate him for permanent director until Feb. 17, almost three weeks after the completion of the trial of the seven original Watergate defendants.

Gray's confirmation hearings before the Senate Judiciary Committee in March became question-and-answer sessions on the Watergate probe and on April 5, Gray asked President Nixon to withdraw his nomination because it was clear that he would not be confirmed.

The President withdrew the nomination and named former Environmental Protection Agency chief William Ruckelshaus as temporary FBI director.

Ruckelshaus was appointed at 5 p.m. on April 27. Gray, who had been staying on long enough to permit nomination and confirmation of a new director, had resigned suddenly at 2:30 p.m. that day.

The resignation came amid reports that Gray destroyed the file folders Ehrlichman and Dean were said to have given him with the comment that they should never see the light of day.

It was reported on April 27 that the documents included phony State Department cables fabricated by

THE GUARDIAN MANCHESTER
2 May 1973

The stench of Watergate

Watergate conspirator E. Howard Hunt Jr. to implicate the late President John F. Kennedy in the 1963 political assassination of South Vietnamese President Ngo Dinh Diem.

Gray was also said by sources to have destroyed a dossier that Hunt had gathered on Sen. Edward M. Kennedy (D-Mass.) and his auto accident at Chappaquiddick in 1969.

The documents were said to have been taken from Hunt's executive office building safe before being given to Gray.

Sources said at first that Gray kept them in his apartment closet for nearly a week, then destroyed them by tearing them up and throwing them in a "burn bag" in his office. Such bags are routinely destroyed at the FBI by security personnel.

Gray told the Ervin committee that he did not destroy the documents until the Christmas period, sources said last night.

Meanwhile, Gray's lawyer, Stephen H. Sachs, said last night that Gray met with prosecutors yesterday, and with personnel from the select committee on Thursday night.

Sachs said Gray is testifying "fully and truthfully" and "has not sought, nor been granted, immunity."

Sachs would not discuss any of Gray's testimony. He said he expected that Gray would testify before the grand jury, but that no date has been set.

In a news conference in San Francisco yesterday, Rep. Paul McCloskey (R-Calif.) said that Congress must question the President personally about the Watergate affair if the Justice Department fails to do so.

"The President has said he has nothing to hide," McCloskey told a news conference in San Francisco, according to the Associated Press. McCloskey noted that the House is "constitutionally the only body that can impeach a President."

McCloskey is a maverick Republican who challenged Mr. Nixon for the GOP nomination last year.

How much of the truth has Mr Nixon told? That is now the central question of the whole Watergate scandal—in justice, in politics, in the credibility of American institutions, and in the effectiveness of United States diplomacy. There can be no certain answer yet. There can even be no certainty yet that a thorough, impartial, and fearless investigation is to take place. The President has compounded earlier errors of judgment by delegating investigation of the affair to his new Attorney-General, Mr Elliot Richardson. The reasons which impelled Mr Kleindienst to resign as Attorney—that he was "a close personal and professional associate" of others involved in Watergate—apply equally to the President. Did not Mr Nixon, as recently as Easter weekend, telephone Mr John Dean to assure him that "you are still counsel to the President"? Mr Dean has now been thrown to the wolves. Yet did he not rank as a close associate?

Mr Nixon has also felt it necessary to allow two of his closest aides, Mr Haldeman and Mr Ehrlichman, to resign—though in their cases without implication of guilt. He ought to have acknowledged that this disqualified him, as their chief, from taking any further part in the investigation of Watergate. The personal integrity of Mr Richardson is not questioned. But if the President wishes to let justice be seen to be done, a member of his own Administration is not the right man to choose, and even the appointment by Mr Richardson of a "special supervising prosecutor" is not enough. It is now the White House, the Administration, and the President himself who are under suspicion, and if he hopes for that suspicion finally to be dispersed, Mr Nixon should appoint an independent investigator or prosecutor, wholly outside government or politics. Better still, he should get the Chief Justice to find such a man.

If this appears to ask too much of the President, one must point to the effect this tragic, long drawn-out scandal has had even among nominal Nixon supporters. Senator Charles Percy, the Illinois Republican, declares that "the whole story is not out, and it will get worse, not better." That, quite brutally, is what friends of America fear and its enemies hope. At best, Mr Nixon has already been shown to be a bad picker of men, credulous about what they tell him, stubborn about what his critics say, and—in his broadcast—still too much of a political cheapjack in trying to disperse the stench of corruption by the sweet smell of international diplomatic success. At worst, he will be shown to be a liar; and if that happens both the Presidency and the profession of politics will bear another grievous scar.

In urging that the Watergate inquiry must be pursued as rigorously as that, Mr Nixon's critics must avoid the alternative sins—of witch-hunting, of McCarthyism, of tainting the innocent with a political prejudice that is blind to justice. Let it be admitted: to people in Britain, the murkier aspects of United States politics and electioneering are in a world apart. Without sounding holier-than-thou, can anyone conceive

the fund-raising methods that are tolerated in America being acceptable here? Can anyone conceive that the conjunction of patronage and the legal system would be tolerated? Those of us who belabour the Nixon Administration now would do well to remember that he, and not John Kennedy, might have become President in 1960 had it not been that the odd electoral methods of Cook County took Illinois into the Democrat column and Kennedy into the White House. Mr Nixon is not the man to say it, and this is not the time for him to say it, but the methods of American electioneering do need a thorough spring-cleaning. As for the law, one of the minor sidelights of Watergate which emerged yesterday was the admission by the judge in the Pentagon Papers trial that he met Mr Ehrlichman on March 31 and April 2 to discuss taking another post, reported to be that of head of the FBI. Mr Ehrlichman deserved to be sacked for that indiscretion alone.

Why has the President been so insensitive? The simple answer is to regard him as a wicked or stupid man. That seems too simple. Mr Nixon is the product of a remarkable political career, the turning points of which were his defeats in 1960 and for the Governorship of California two years later. From those he emerged as a political lone-wolf, with a deep paranoia about the media and a near-limitless loyalty to the few political friends—his enemies would say cronies—who stood by him. The limits of that loyalty have now been reached, and the most important political question is in which direction Mr Nixon turns now, assuming that further scandal does not ruin him.

For Watergate has illuminated a fatal flaw in his method of operating. An arrogant White House and a distant Congress may just work while all goes well (though even then the dangers of a foreign policy conceived by two men alone are somewhat frightening). When things go wrong, the President has no protection from the faults of his advisers, the hostility of the Congress—and even of his own party within that Congress—and the hatred of the press. For if an unsympathetic and sometimes cruel press in the past has made a bitter President, the reverse is also true. Even if no more mud sticks to him, Mr Nixon will have to let bygones be bygones and practise politics in a way that shows more respect for the Legislature and for the media's right to examine his policies.

And what of the world? Mr Nixon's effectiveness in foreign policy will certainly be impaired, at least for a time. The Soviet Union and China need scarcely sniff, for no one even knows what lay behind the recent restructuring in the Kremlin or the disappearance of Chairman Mao's "closest comrade-in-arms," Lin Piao. But it is not the most auspicious time to pursue Dr Kissinger's fruitful suggestion for a new Atlantic Charter. Mr Nixon would be wise to let the dust settle a bit—assuming that he believes it will eventually settle. This is a sad consequence of Watergate. Mr Nixon's foreign policies have had much success, notably with China and Russia, but a pause is now inevitable.

WASHINGTON STAR
12 May 1973

Senators Blame Ehrlichman, Not CIA

BY JEREMIAH O'LEARY
Star-News Staff Writer

Former Presidential aide John D. Ehrlichman has been accused by two Democratic senators of committing "illegal and unethical" acts in requesting Gen. Robert E. Cushman Jr. to provide CIA technical assistance for E. Howard Hunt Jr. for a domestic security operation.

The charges were leveled at Ehrlichman yesterday by Sens. Stuart Symington of Missouri and Henry Jackson of Washington after Cushman testified on his connection with Hunt before a closed session of a Senate Armed Services subcommittee.

Cushman appeared before three separate subcommittees of Congress yesterday and is scheduled for additional appearances today and Monday.

Cushman, now the commandant of the Marine Corps, presented a sworn affidavit to all three subcommittees dealing with the circumstances under which he approved CIA technical assistance for Hunt in 1971 to do an unspecified "interview" connected with national security.

After Cushman's affidavit and intensive questioning of him by the Senate

Armed Services subcommittee late yesterday, there were indications that the legislators were holding Cushman blameless for complying with what he regarded as White House orders to help Hunt.

SYMINGTON told reporters the subcommittee would question Cushman again at 10 a.m. Monday but declared on the basis of what the commandant had already revealed "I could not criticize Gen. Cushman for the actions he took in the beginning and what he did later."

Cushman's sworn affidavit said that Ehrlichman called him at the CIA on July 7, 1971, and told him Hunt was a White House "bona fide" employe assigned to security matters. Hunt, according to the Ehrlichman phone call, would come to Cushman and "request assistance which Mr. Ehrlichman requested that I give."

Cushman said he knew Ehrlichman was one of President Nixon's three chiefs of staff and "that he spoke with the authority of the President's name." Cushman said he drew the conclusion that Hunt had been hired by the White House to act in the securi-

ty field and that CIA was being ordered to assist him.

Hunt came to see Cushman on July 22, 1971, and said he had a "very sensitive one-time interview that the White House wanted him to hold with a person whose ideology he was not sure of and that he dare not reveal his, Hunt's, true identity." When Hunt asked for false papers and disguises for his mission, Cushman said he ordered CIA's Technical Services Division to provide them.

"I WAS NOT able to elicit any details of the interview which he stated he had to conduct and he said that on White House orders he was not to reveal the nature and scope of this interview," Cushman said.

Congressman told reporters that Cushman testified he did not learn the nature of Hunt's mission or the fact that it involved an American within the United States until he read of the robbery of Ellsberg's psychiatrist in recent weeks.

Sen. Jackson said Cushman violated no law because he did not know the purpose for which Hunt

wanted the espionage equipment from the CIA. But Ehrlichman violated the 1947 Security Act by requesting Cushman's help for Hunt, Jackson said. That law, he added, bars the CIA from undertaking any activity within the U.S.

CUSHMAN SAID it was in late August 1971 that he was advised by CIA members that Hunt was becoming unreasonable and demanding, far beyond the scope of the original instructions. He said he immediately stopped all relationships with Hunt and called Ehrlichman on Aug. 27, 1971, to tell him he could no longer help Hunt or have anything further to do with him.

Cushman acknowledged that he did not use normal caution in dealing with Hunt because of the Ehrlichman endorsement of the ex-CIA agent. And he told a Senate Appropriations subcommittee he would not be likely to go along with a similar case another time. Cushman told members of the House Armed Services subcommittee the Ehrlichman request was not routine but rather was the only such case he had ever encountered while at CIA.

The Washington Merry-Go-Round

THE WASHINGTON POST Saturday, May 5, 1973

Kissinger Fears Effect of Watergate

By Jack Anderson

The White House staff is in a state of shellshock. But no one is more distressed over the Watergate scandal than is Henry Kissinger. He's afraid it will weaken President Nixon at the same time that Chairman Leonid Brezhnev is gaining strength inside the Kremlin.

World leaders have a keen sense of power. The President came out of the 1972 election with a landslide victory. This not only meant he would be President for four more years but would be in a strong position to choose his successor. He had reached a pinnacle of power that made him more formidable in foreign affairs.

But now his power has been eroded by the Watergate scandal. World leaders have been

quick to sense that the President is slipping, that he is losing his authority to commit the United States.

This coincides with a shake-up inside the Kremlin, which strengthens Brezhnev. He suddenly is stronger and the President weaker for their next face-to-face confrontation in Washington.

The last time they met in Moscow, most of the weight was on Nixon's side of the bargaining table. Those who have had access to the secret accounts of the summit meeting say the President profoundly impressed his hosts. Intourist guides still point out to visitors the building where President Nixon stayed.

He also made a triumphant stop in Warsaw on his way home. The Poles have roped off the room where he signed a Polish-American pact as a museum and have bolted down the chair in which he sat. From Moscow to Peking, and Warsaw to Budapest, the Communist leaders talk only of cooperation with Richard Nixon.

They still tend to dismiss the Watergate scandal as an internal matter. But insofar as it weakens the President's authority, Watergate will hamper his conduct of foreign affairs. At the next summit meeting, the weight may be on Brezhnev's side of the table.

NEW YORK TIMES
10 May 1973

C.I.A. HEAD ADMITS 'ILL-ADVISED ACT'

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, May 9—The head of the Central Intelligence Agency said today that the agency had been "insufficiently cautious" in providing materials to a White House aide involved in the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

"It was an ill-advised act," said James R. Schlesinger, who was named Director of Central Intelligence earlier this year.

Mr. Schlesinger's comments came as he emerged from a closed hearing being conducted by a Senate Appropriations subcommittee inquiring into the agency's involvement in the Pentagon papers case.

In his testimony, made available later by the subcommittee, Mr. Schlesinger confirmed earlier reports that the request for agency assistance was made in the summer of 1971 by John D. Ehrlichman, a key Presidential adviser who resigned just last week.

Mr. Schlesinger testified that it was Mr. Ehrlichman who had telephoned Gen. Robert E. Cushman Jr., at that time deputy director of the C.I.A. and now commandant of the Marine Corps, requesting agency assistance for E. Howard Hunt Jr., a White House aide who has confessed taking part in the burglary of the psychiatrist's office.

Senator John L. McClellan, Democrat of Arkansas and chairman of the Senate Appropriations Committee and the subcommittee investigating C.I.A. involvement, said the panel "may very well need Mr. Ehrlichman's testimony."

Senator McClellan also said the subcommittee believed it essential to hear from both Richard Helms, now Ambassador to Iran but director of the agency at the time of the burglary, and from General Cushman.

General Cushman is scheduled to testify Friday before a Senate Armed Services subcommittee in the Pentagon papers case.

Two Officials Identified

Meanwhile, two high State Department officials were identified today as the men who had authorized Hunt to read and copy 240 highly classified documents concerning the Vietnam war in September, 1971.

A State Department spokesman said that William Macomber, then Deputy Under Secretary of State for Management, and U. Alexis Johnson, Deputy Under Secretary for Political Affairs, had specifically author-

LOS ANGELES TIMES
11 MAY 1973

Colby---Named CIA Head---Known For His Heroism Without Bravado

BY RUDY ABRAMSON
Times Staff Writer

WASHINGTON — William E. Colby, President Nixon's choice to take over the Central Intelligence Agency, got his first experience in intelligence work with the French resistance behind the lines in World War II.

He volunteered for Col. William J. (Wild Bill) Donovan's Office of Strategic Services in 1943 after it put out a call for men fluent in French to parachute into occupied France to work with the resistance.

A year later, Colby volunteered to lead a parachute team into enemy-held northern Norway to blow up rail lines being used by the Germans.

Esteemed by Boss

A quiet, bespectacled man little known in Washington outside the intelligence community, he is described as an associate as "capable of very spectacular things but absolutely without external bravado."

He is said to have been highly regarded by former CIA Director Richard Helms, who also began his intelligence career in World War II as a member of the OSS.

After serving a little more than a year as the CIA's executive director and comptroller, Colby was named its deputy director for operations just

last month as Helms' successor James R. Schlesinger began massive personnel changes in the agency.

Colby takes over the CIA at a time when it is vulnerable to criticism that it went beyond the bounds of the National Security Act by cooperating with an undercover investigation of Daniel Ellsberg and a burglary of the office of Ellsberg's psychiatrist in Beverly Hills.

Schlesinger, who was nominated as the new secretary of defense by President Nixon Thursday, criticized the agency for being insufficiently cautious in lending assistance to two central figures in the Watergate scandal—E. Howard Hunt and G. Gordon Liddy.

A White House spokesman said Thursday that Colby is in full accord with Schlesinger's criticism of the agency's role in the matter.

"Colby is in full agreement with Schlesinger's determination that the activities of the agency in the future will remain within its charter and he intends to proceed directly and specifically in that way," White House Press Secretary Ronald Ziegler said.

A closed-door Senate investigation of the matter was to continue today but there was no plan to call Colby to testify.

When the CIA provided phony identification and disguises for Hunt and Liddy before the break-in at Dr. Lewis Fielding's of-

its response to requests from the White House had been entirely proper.

In another development today, a Pentagon spokesman, Jerry W. Friedheim, said the Defense Department had turned down Hunt's request for classified documents connected with the Pentagon papers in the late summer of 1971.

Mr. Friedheim said the Hunt request had been rejected on the ground that the request should have come from the Justice Department, not a White House aide.

Mr. Schlesinger testified today in closed session that on July 22, 1971, Hunt visited General Cushman at the C.I.A. building, told him he had been assigned "a highly sensitive mission by the White House to visit and elicit information from an individual whose ideology he was not entirely sure of."

Mr. Schlesinger said that agency records indicate that in the course of the conversation "Mr. Hunt referred to Mr. Ehrlichman by name and General Cushman acknowledged an earlier call from Mr. Ehrlichman to him."

On July 23, 1971, according to Mr. Schlesinger, General Cushman directed that the "appropriate technical services" be given to Hunt. These included, he said, a Social Security card, driver's license, several association membership cards, in the name of "Edward Joseph Warren," along with a wig, glasses, and a speech alteration device.

Later, according to Mr. Schlesinger, Hunt was furnished with a tape recorder and a camera disguised in a tobacco pouch and, still later, obtained from the C.I.A. for an associate, G. Gordon Liddy, a wig and glasses and alias doc-

ument. Colby was working in the State Department.

Cushman's Role

Sen. John McClellan's Senate subcommittee investigating the CIA's assistance to the burglars and its preparation of a behavior profile on Ellsberg will hear testimony today from Gen. Robert E. Cushman Jr., Marine Corps commandant.

Cushman ordered CIA officers to cooperate with Hunt after a telephone request from John D. Ehrlichman, President Nixon's domestic affairs adviser who has resigned in the midst of the Watergate and Ellsberg disclosures.

The general was deputy director of the CIA at the time.

After World War II, Colby obtained a law degree from Columbia University and joined a law firm headed by Col. Donovan. He took his first government position in 1949 as an attorney for the National Labor Relations Board.

Since then he has served in staff jobs at U.S. embassies in Stockholm, Rome and Saigon.

In 1962, he became chief

of the CIA's Far East division. Six years later, he moved to the State Department's Agency for International Development and was for 2½ years the top official of the U.S. pacification program in South Vietnam.

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NEW YORK TIMES
11 May 1973

Nixon's Choice to Head the C.I.A.

William Egan Colby

By LINDA CHARLTON
Special to The New York Times

WASHINGTON, May 10—William Egan Colby, named today as the new chief of the Central Intelligence Agency, is one of the few professionals to rise to the top of a major Government department: He is a career clandestine operative.

The 53-year-old Mr. Colby's involvement with intelligence work dates to 1943, when, responding to a call for French-speaking volunteers, he joined the Office of Strategic Services, the forerunner of the C.I.A., and parachuted behind enemy lines in France to join a Resistance unit.

He continued his O.S.S. service through the rest of the war, then took time to obtain a law degree from Columbia University and work in the New York City law firm, headed by Maj. Gen. William S. Donovan, the former head of the O.S.S. He joined the C.I.A. in 1950. Except for a brief interval as deputy and then chief United States adviser to the pacification program in South Vietnam, Mr. Colby has been with the agency ever since.

Since March 3, he has been the agency's deputy director of operations, the head of its clandestine services, known otherwise as the "Department of Dirty Tricks." He had been executive director-controller of the agency since January, 1972, six months after he returned from Saigon, where he had succeeded Robert W. Komer as the director of the United States phase of the South Vietnamese Govern-

ment's pacification program. Mr. Komer, now with the Rand Corporation here, describes Mr. Colby as "a professional's professional—outstandingly capable."

Mr. Colby's involvement with the pacification program was well-known, particularly after he testified about the controversial Operation Phoenix—an antisubversion subcommittee in the summer of 1971. Much less is known about his other assignments.

His official biography shows him on "the staff" of the United States Embassy in Stockholm in 1951, and notes that he "served" in the Embassy in Rome from 1953 to 1958. In 1959, he began his involvement with Vietnam, with the title of First Secretary of the Embassy in Saigon.

He was working for the C.I.A., eventually becoming Saigon station chief, and he returned to the agency's McLean, Va., headquarters in 1962 as chief of the Far East Division, which means, in effect, the man in charge of the agency's operations in Vietnam.

The known facts of Mr. Colby's life outside the agency are few. He was born Jan. 4, 1920, in St. Paul, the son of an Army officer. Much of his childhood was spent at Army posts. He graduated from Princeton in 1940, joined the Army the next year, and served in the parachute field artillery until that 1943 call for volunteers for the O. S. S.

He and his wife, the former Barbara Heinzen, live in a Washington suburb. They are, according to friends, de-

vout Roman Catholics, a faith that sustained them after the recent death of a 19-year-old daughter, one of five children.

His personality, by all accounts, is suitable for a man of his calling—"attractive, low-key, almost deliberately anti-charismatic," Mr. Komer said. "Very soft-spoken, unexuberant, very careful," said another man who had had contact with him in Vietnam.

Opinion Differs

He is a man whose life has been the agency's since leaving college. Mr. Komer sees this as an advantage, since he is known and respected among the professionals; others see it as less benign, tending toward making the agency more of a sovereign state. "The first rule is to protect the organization," said one man who views Mr. Colby's appointment skeptically.

The thin, bespectacled Mr. Colby is, however, perhaps the only C.I.A. official ever to have testified on the record, which he did during a Congressional investigation of the "Operation Phoenix" program. He conceded that there had been "occasional abuses," such as political assassinations and the killing of civilian suspects, but maintained that the program was "an essential part of the war effort."

Mr. Komer said that Mr. Colby was a "deep believer in the other war, trying to help the people." Others describe him as an "absolutely committed hard-line Vietnam veteran," a man to whom the ends of the agency justify any means.

uments

Sometime later, Mr. Schlesinger continued, some C.I.A. officials became "increasingly concerned" over Hunt's repeated requests for assistance. He said that on Aug. 21, 1971, General Cushman telephoned Mr. Ehrlichman at the White House and said that further assistance could not be given and that "Mr. Ehrlichman agreed."

Since the end of August, 1971, according to Mr. Schlesinger, the C.I.A.'s technical services division has not had further association with Hunt. He noted that break-in at the psychiatrist's office took place in early September, 1971.

Gray Got Information

Mr. Schlesinger testified that these events were outlined to Patrick Gray 3d, at that time acting director of the Federal Bureau of Investigation, in July, 1972, and that more detailed materials were reviewed by Attorney General Richard G. Kleindienst and Assistant Attorney General Henry E. Petersen on Oct. 24, 1972.

Mr. Schlesinger said that the C.I.A. "is aware that this material was reviewed on 27 Nov., 1972" by Earl J. Silbert, principal Assistant United States Attorney for the District of Columbia, and that additional submissions were made to Mr. Petersen on Dec. 21, 1972.

Mr. Schlesinger also testified that the C.I.A.'s office of Medical Services had prepared and forwarded to the White House two "indirect personality assessments" of Dr. Ellsberg, at the request of Mr. Young.

This information, he said, was not included in that furnished by Justice Department officials last fall because those who had prepared the material had been unaware of this development.

Mr. Schlesinger assured the McClellan subcommittee today that the C.I.A. had not been aware of the details of Hunt's activities involving the burglary of the psychiatrist's office.

"The agency's impression was that Mr. Hunt was engaged in an activity related to identifying and closing off the security leaks that were so much a preoccupation of the Government at the time," Mr. Schlesinger said.

Mr. Schlesinger also testified that the C.I.A.'s involvement in preparing a psychological profile on Dr. Ellsberg "lies beyond the normal activities of the agency" and said he had instructed the staff not to repeat such an action.

LONDON TELEGRAPH
3 May 1973

U.S. studies possibility of impeachment

By RICHARD BEESTON
in Washington
SENATOR Barry Goldwater, Mr. Nixon's old friend, is among a number of members of Congress who say that the President should be impeached, if it emerged that he were criminally implicated in the Watergate scandal.

No one wants to believe that the President was involved, but suddenly Americans have started openly to discuss "the unthinkable" and the constitutional implications of Watergate. Under the American Constitution the founding fathers deliberately made the President

impeachable. Much of the constitution was modelled on British institutions, including the process of impeachment.

But the British concept that "the King can do no wrong" was not extended to the Presidency because it was alien to the mind of the founding fathers to place their President above the law.

Even if he is found guilty of a crime, a President cannot be imprisoned or fined but could, after impeachment, be brought to trial before a regular court.

If for example it became evident that Mr. Nixon was responsible for a cover up of the Watergate affair, he could be charged with obstruction of justice, an indictable crime and impeachable.

To begin impeachment proceedings against a President all that is required is a simple majority vote in the House of Representatives.

The President would then be tried by the Senators, with the Chief Justice as the presiding officer. The Senate requires a

two-thirds majority in order to find the President guilty and remove him from office.

The constitutional issues which Watergate has provoked are also causing Americans to have second thoughts about their system.

Many are now beginning to look enviously towards the parliamentary democracy, where the Prime Minister is accountable to Parliament, and where a major political scandal such as Watergate would quickly bring about the downfall of his Government.

One of the bases of the American system is the "separation of powers," which became a hotly debated issue during the months when Mr. Nixon used this concept to refuse to permit present and former members of his White House staff from giving evidence under oath before the Watergate Senate Investigating Committee.

There is nothing in the constitution that would prevent a President from resigning although it has never before happened.

NEW YORK TIMES
11 May 1973

Project Made 2 'Apprehensive'

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, May 10—Two medical officials of the Central Intelligence Agency told a Senate subcommittee today that a "personality assessment" made on Dr. Daniel Ellsberg was the first that the agency had ever made on an American citizen.

The agency has been conducting such personality studies for many years, the officials said, but only of foreign leaders.

The testimony was given by Dr. John R. Tietjen, director of medical services for the C.I.A., and Dr. Bernard Malloy, chief of the agency's psychiatric division, at a closed meeting of a Senate Appropriations subcommittee inquiring into the involvement of the agency in the burglary at the office of Dr. Ellsberg's former psychiatrist.

The doctors, questioned as they emerged from the meeting, said that so far as they had been able to determine, the Ellsberg personality assessment was the only one the agency had ever made on an American.

They declined to answer further questions posed by newsmen. No transcript of their testimony was made available.

However, Senator John L. McClellan, chairman of the Senate Appropriations Committee and of the subcommittee conducting the inquiry, said later that the agency's doctors had testified that "they were apprehensive throughout the project" and had mentioned these doubts to their superiors, including the Director and Deputy Director of the C.I.A.

Said to Have Had Doubts

Richard M. Helms, now Ambassador to Iran, was the agency's director at the time of the Ellsberg personality assessment in the summer and fall of 1971, and Gen. Robert E. Cushman Jr., now commandant of the Marine Corps, was the Deputy Director.

Senator McClellan, Democrat of Arkansas, said that the committee considered it essential to hear from both Mr. Helms and General Cushman "at the earliest time possible."

General Cushman has cut short a European tour and is expected to testify tomorrow before a Senate Armed Serv-

ices subcommittee, headed by Senator Stuart Symington, Democrat of Missouri. That committee is also inquiring into C.I.A. involvement in the Pentagon papers case.

Senator McClellan said that he had asked the State Department to contact Ambassador Helms about appearing "and we hope to hear his testimony next week—early next week, I might add."

The chairman had indicated earlier that the subcommittee might also want to question John D. Ehrlichman, who resigned as President Nixon's chief domestic adviser last week as disclosures of White House involvement in the Watergate scandal were unfolding.

White House involvement in the preparation of the Ellsberg personality assessment was officially confirmed yesterday by the C.I.A. director, James R. Schlesinger. He told the McClellan subcommittee that David R. Young, Jr., a White House aide at the time, had asked the agency to prepare such a report on Dr. Ellsberg in the latter part of July, 1971.

Dr. Ellsberg is on trial in Los Angeles on Federal charges of theft, espionage and conspiracy involving the copying and alter disclosure of the Pentagon papers on United States involvement in Vietnam.

Helms' Approval Reported

Mr. Schlesinger testified that Mr. Helms, then the C.I.A. director, had instructed officials of the agency to work with Mr. Young and that the agency's decision to prepare the Ellsberg

study "apparently was approved by Mr. Helms."

Mr. Schlesinger said that two profiles on Dr. Ellsberg were prepared and sent to the White House. He said that the first had been compiled from "raw material" such as newspaper and magazine articles and Government documents supplied by Mr. Young. This material, he said, "was judged insufficient" by the White House.

Additional material, including classified information from the Justice and State Departments, was given to the agency, according to Mr. Schlesinger, and the final document was delivered to the White House by Dr. Malloy on Nov. 12, 1971.

"Agency records indicate that Mr. Helms had previously communicated with Mr. Young, indicating he had read both reports," Mr. Schlesinger testified.

'A Serious Impropriety'

The intelligence agency has admitted furnishings disguises and other materials used by E. Howard Hunt Jr., a former White House aide who has confessed a role in the burglary of the psychiatrist's office in the fall of 1971.

Asked today if he felt that the agency had violated the law, Senator McClellan replied: "I would not make a final decision on that. But it was, to say the least, a serious impropriety."

The C.I.A.'s charter, the National Security Act of 1947, stipulates that the agency "shall have no police, subpoena, law-enforcement powers or internal security functions." Internal security, espionage and sabotage are under the jurisdiction of the Justice Department.

NEW YORK TIMES
11 May 1973

Cuban Says He and Two Others Broke Into Psychiatrist's Office

Special to The New York Times

MIAMI, May 10—A Cuban real estate broker, in a deposition here today, said that he and two Watergate burglars, Bernard L. Barker and Eugenio R. Martinez, broke into the office of Dr. Daniel Ellsberg's former psychiatrist last September and photographed Dr. Ellsberg's and "other files."

Felipe de Diego made his deposition this morning before the Dade County State Attorney, Richard E. Gerstein, who interrogated him under oath at the request of the Los Angeles County District Attorney, Joseph Busch.

Mr. Busch authorized Mr. Gerstein to give the 45-year-old Cuban immunity from prosecution for any illegal actions he might have committed in Los Angeles County.

The Dade prosecutor, who conducted the questioning with his chief investigator, Martin Dardis, said that Mr. de Diego had been "frank and forthright."

Mr. Gerstein said that Mr. de Diego's lawyer, Alfredo Duran, had indicated that if his client was given immunity from prosecution in other jurisdictions, he might "shed new light" on heretofore unexplained activities of the Watergate operation.

Break-in at Embassy

Sources close to the investigation suggested that Mr. de

Diego might be able to give information about an alleged break-in at the Chilean Embassy in Washington in May or June, 1972, among other things.

Barker and Martinez are among five persons who pleaded guilty at their trial in Washington in connection with the break-in and bugging of the Democratic National Committee headquarters in the Watergate complex. Two others were convicted.

Dr. Ellsberg and Anthony J. Russo Jr. are on trial in Los Angeles in connection with the disclosure of the secret Pentagon papers on the history of the Vietnam war. The burglary of the psychiatrist's office has become an issue in the trial.

According to Mr. Gerstein and Mr. Dardis, the thread of Mr. de Diego's testimony was as follows:

Late last August, Mr. de Diego was asked by Barker, for whom he then worked, to participate in a "mission for an agency of the United States Government."

He was also told by Barker that the man in charge of the mission was E. Howard Hunt, Jr., who also later pleaded guilty in the Watergate case. Mr. de Diego, who said he once worked for the Central Intelligence Agency and knew Hunt, agreed to join Barker.

Four days later, apparently on Sept. 2, M. de Diego, Barker

and Martinez, who also then worked for Barker, flew from Miami to Los Angeles. Barker bought their airline tickets, giving fictitious names, which they also used to register at the Beverly Hilton Hotel.

Next morning the three men made visual reconnaissance of the building where Dr. Lewis J. Fielding, Dr. Ellsberg's psychiatrist, had his offices.

Suitcase Put in Office

At one point that day, Baker left his companions at the hotel and returned shortly with a briefcase that contained photographic equipment, a spotlight, a 35-mm. camera, films and other items.

At 9 P.M. the three went into the office building and spoke Spanish to a cleaning woman, apparently of Mexican descent. The persuaded her to put the suitcase into Dr. Field-

ing's office, and they left the building, Mr. de Diego said.

Four hours later, at 1 A.M., using masking tape and a glass cutter, they broke a window and entered an office on the ground floor and forced the door of Dr. Fielding's office on the second floor, the witness continued.

Barker, he said, then told his two companions, "We are looking for a file of Dr. Daniel Ellsberg." Mr. de Diego said he did not remember who had found the file, but shortly afterward the search stopped and he helped to hold papers from what appeared to be Dr. Ellsberg's file while Martinez photographed them.

Mr. de Diego said that he had not been paid for the Los Angeles operation, but he added that Barker had promised he would be paid for other operations.

WASHINGTON POST

9 May 1973

Nixon Asked Data Withheld

By Carl Bernstein
and Bob Woodward

Washington Post Staff Writers

President Nixon attempted to prevent the Justice Department from providing information on the burglary of the office of Daniel Ellsberg's psychiatrist to the Los Angeles court where Ellsberg is on trial, according to sources close to the Watergate investigation.

The sources reported that the President urged Attorney General-designate Elliot Richardson and Deputy Assistant Attorney General Henry F. Petersen, who had been supervising the Watergate probe, not to provide the information on grounds that it might adversely affect "national security."

The President's advice was rejected by both men, one of whom was described as "horrified" and the other as "deeply shaken" by Mr. Nixon's action.

One source said Richardson was disbelieving of the President's position at first and that the Attorney General-designate reacted "as if he were struck by a thunderbolt . . . His internal reaction was that it is inconceivable for him to think that there can be any cover-up of any kind."

Petersen, another source reported, "didn't know what to do he was so upset. He had to get this straightened out so he could live with his own children."

In addition to the President's action, the sources reported that Mr. Nixon's former principal deputy for domestic policy, John Ehrlichman, attempted to persuade Egil Krogh Jr. not to disclose what he knew about the break-in at the psychiatrist's office. Several sources yesterday quoted Ehrlichman as telling Krogh: "The President doesn't want any more of this to surface for national security reasons."

The account of the President's alleged attempt to prevent release of the Justice Department information on the Ellsberg burglary, first reported by The New York Times yesterday, was confirmed by five sources, among them officials at the White House and the Justice Department, as well as lawyers involved in the Watergate case.

All the sources provided essentially the same account and variously described the President's action as "an attempt to keep the lid on"

and "a message that he didn't want this thing to surface." All confirmed Ehrlichman's action as well.

One White House official, who said he was not familiar with all the facts surrounding the matter, said he believed the President acted out of "genuine concern about national security."

The Post's sources said the President's interest in the matter began on April 15, when he was informed

by Deputy Assistant Attorney General Petersen that the Watergate prosecutors had prepared a memorandum detailing the involvement of two of the convicted Watergate conspirators in the Ellsberg break-in. The memorandum was to be submitted to the judge in the Pentagon Papers trial.

At that time, the sources reported, Mr. Nixon urged Petersen for "national security reasons" not to forward the memorandum to the Los Angeles court where Ellsberg is on trial for leaking the Pentagon Papers to the press.

Petersen, in the words of one source, "knew he couldn't live with the situation" if he withheld information that the psychiatrist's office had been broken into by a team supervised by Watergate conspirators E. Howard Hunt Jr. and G. Gordon Liddy.

After two days, all the sources reported, Petersen, a career civil servant praised by colleagues for his record of integrity, sought assistance and advice from then Attorney General Richard G. Kleindienst.

Kleindienst, the sources said, agreed with Petersen that it would be improper to follow the President's recommendation and said he would personally take the matter to Mr. Nixon.

When Mr. Nixon was confronted with Kleindienst's arguments that the material must be forwarded to the judge in the Ellsberg trial, the President relented and the memo was sent, the sources said.

On April 26, the government prosecutor in the Ellsberg case submitted the memorandum to Federal Judge W. Matt Byrne Jr. The next day, the judge released the information about the burglary at the psychiatrist's office, causing a furor at the Ellsberg trial. The judge also ordered immediate government inquiry into the circumstances of the burglary, which reportedly angered some officials at the White

House and the Justice Department.

That afternoon, Ehrlichman was interviewed by the FBI at his White House office and told agents he had been responsible for ordering a secret White House investigation into the background of Ellsberg. Ehrlichman also told the agents that the investigation was headed by his deputy, Egil Krogh, and David Young, who resigned three weeks ago from his position as a National Security Council aide assigned to Ehrlichman's office.

On Sunday, April 29, President Nixon asked Richardson to replace resigning Attorney General Kleindienst as a means of restoring confidence in the Justice Department and to preside over the department's Watergate investigation.

Richardson, The Post's sources said, was told by the President that he would have "an absolutely free hand" in supervising the investigation. At this point, the sources told slightly differing versions. All, however, agreed that the President also told Richardson—at a minimum—that certain "national security matters" should remain secret in the Watergate investigation.

"Nixon told Richardson to keep the Pentagon Papers out of the Watergate investigation," one source said flatly.

Another said: "It wasn't that explicit; in fact, Richardson at first wasn't completely clear about the implications of what the President said. It was vague, but the message was that the President didn't want some national security matters disclosed in the investigation."

The next night, in the President's television address to the nation on the Watergate affair, Mr. Nixon said of Richardson: "I have given him absolute authority to make all decisions bearing upon the prosecution of the Watergate case and related matters . . . Whatever may appear to have been the case before . . . justice will be pursued fairly, fully and impartially, no matter who is involved."

Shortly before the President spoke, however, Ehrlichman conveyed to Krogh what he described as "a message from the President," according to The Post's sources.

"Ehrlichman said the President didn't want any more to surface about the Ellsberg investigation," one source said. "He (Ehrlich-

man) was emphatic that he was speaking for the President."

Specifically what the President did not want disclosed, the sources said, was Krogh's knowledge that the CIA had provided assistance in the break-in of the office of Ellsberg's psychiatrist, and other activities by the White House in trying to determine the source of news leaks deemed harmful to the administration.

On the same Monday that President Nixon was working on his Watergate speech, the sources said, Richardson lunched with Krogh, who described the presidential message conveyed by Ehrlichman.

Krogh also told Richardson all he knew about the White House operation aimed at Ellsberg and that he (Krogh) "was driven by a moral compulsion that this was the right thing to do, not to cover it up but to tell all the stand the consequences," according to one source.

All the sources reported that Richardson at this point became adamant about avoiding the President's request to prevent release of information surrounding the Ellsberg operation.

"Richardson told Krogh that he had already gotten the message from the President and made it clear he wasn't going to abide by it," one source said. "He made it clear he intended to countermand the President and just would not obey. He said he would just not heed that order."

Another source said Richardson told Krogh: "I'm not going to participate in a cover-up because it will destroy my role in the Watergate investigation . . . The truth has got to come out."

One of the sources suggested that Krogh's remarks triggered Richardson's recollection of what he had been told by the President regarding "national security matters" and said that Richardson suddenly "expressed horror."

Following the meeting with Krogh, the sources said, Richardson discussed the matter with Assistant Attorney General Petersen, who told him of the President's earlier action in attempting to prevent release of the burglary information.

Petersen, one source said, told Richardson that "this has to be straightened out and that he (Petersen) couldn't live with what the President wanted to do. Henry asked Richardson for help and Richardson backed him up."

Both men, all the sources reported, decided that they would have nothing to do with the advice tendered

WASHINGTON STAR
8 May 1973

SMITH HEMPSTONE

A New Bay of Pigs for CIA?

by either the President or Ehrlichman and conveyed their decision to Mr. Nixon.

Exactly how the message was conveyed could not be determined, but one source said Richardson personally discussed the matter with the President and that Mr. Nixon agreed that there should be no further attempts at preventing release of the Ellsberg material.

All of the sources said that at no time did Mr. Nixon suggest any reason except "national security" for preventing release of the information.

On Thursday, the White House delivered guidelines to Krogh expressing the White House position that witnesses testifying in Watergate proceedings "are restricted from testifying as to matters relating to national security."

Krogh, who received a copy of the guidelines, signed an affidavit the next day detailing his knowledge in which he acknowledged full responsibility for the break-in at the office of Ellsberg's psychiatrist.

NEW YORK TIMES
6 May 1973

Kleindienst Resignation Is Reported by Pravda

MOSCOW, May 5 (AP)—Pravda told its readers today for the first time that Richard Kleindienst has resigned as the United States Attorney General. The Communist party daily made no reference to the Watergate affair.

A one-sentence dispatch from Washington said only that President Nixon had accepted Mr. Kleindienst's resignation and replaced him with former Secretary of Defense Elliot L. Richardson.

The Soviet public has not been told of the Watergate scandal and the involvement of the White House staff.

It is now clear that the Central Intelligence Agency has been far more deeply implicated in the Watergate-Pentagon Papers scandal than had previously been suspected.

Earlier this week, the New York Times, quoting "sources close to the Watergate case," said that Gen. Robert E. Cushman Jr., the agency's former deputy director and now commandant of the Marine Corps, authorized CIA assistance in the burglary of the office of Daniel Ellsberg's psychiatrist. The Times said Cushman, who is out of the country and has not commented publicly on the allegation, acted at the request of former presidential counselor John D. Ehrlichman.

An indirect CIA connection with the Watergate Seven had been evident from the beginning of the affair last June. G. Gordon Liddy, the former White House consultant and operational chief of the bug-ging of Democratic national committee headquarters, had been an agent for the Federal Bureau of Investigation. E. Howard Hunt Jr., his deputy, had been the CIA agent who planned the abortive Bay of Pigs invasion.

James W. McCord had served 19 years in the CIA until his "retirement" in 1970; he became security chief of the Nixon campaign committee in 1972. Cuban-born Bernard L. Barker worked with Hunt on the Bay of Pigs invasion, acting as a link between the CIA and the army of exiled Cubans.

Frank Sturgis (alias Frank Fiorini) also was involved in the Bay of Pigs and has CIA connections. The two Cuban members of the raiding party, Eugenio R. Martinez and Virgilio R. Gonzalez, also had records of anti-Castro activity.

But the emphasis always was on a past CIA associa-

tion. It was easy to believe this: Washington and Miami are full of former intelligence agents willing to undertake contract work which their colleagues within the CIA would be forbidden by law to engage in (under the National Security Act of 1947, which created the agency, CIA's activities are restricted to work abroad).

It now appears possible, even probably, that Liddy, Hunt and possibly others of the Watergate Seven had not in fact severed their relations with the intelligence community and were, indeed, operating with the knowledge and consent of the CIA.

These seemingly isolated but possibly interrelated events point to a pattern of CIA involvement:

• Hunt was hired by the Robert R. Mullen & Co. public relations firm in 1970 on the personal recommendation of the then CIA Director, Richard Helms. It is still unclear as to whose payroll Hunt was on after he joined the White House staff in the summer of 1971.

• In December of last year, when Watergate was just beginning to heat up, Helms was fired as CIA chief and shipped off to Teheran as ambassador to Iran.

• Helms' successor, James R. Schlesinger, who came to CIA from the Office of Management and Budget via the Atomic Energy Commission, has been conducting a widespread purge of the agency.

• Hunt testified last week to the Watergate grand jury (according to a transcript released by attorneys for Pentagon Papers defendants Daniel Ellsberg and Anthony Russo) that the CIA provided him and Liddy with cameras, disguises, false identity papers and other "technical assistance" for the burglary of the Beverly Hills office of

Dr. Lewis Fielding, Ellsberg's psychiatrist.

Hunt told of meetings with CIA agents in two of the agency's "safe houses" — secret hideaways — in this city. He also told of being given a CIA "sterile" telephone number — an unlisted number in which billings are not reflected — to call when in need of "material" assistance.

Hunt's grand jury testimony can be given a great deal of credence because in it he correctly identified Dr. Bernard Melloy as the head of the CIA's psychiatric unit. Dr. Melloy's identity previously had been a closely held secret. He is not listed in the Washington, Maryland or Virginia telephone directories, but he maintains a private office at 2520 Pennsylvania Ave., in addition to his CIA office in McLean, Va. Hunt also revealed, correctly, that Melloy's unit works up psychiatric profiles on persons "of interest" to the U.S. government. Ellsberg was the subject of one of these profiles; similar studies had been made of Fidel Castro and Leonid Brezhnev.

Although Helms was appointed head of the CIA by Lyndon Johnson in 1966, President Nixon has close personal links with the present deputy director of the CIA, Maj. Gen. Vernon A. Walters, as he had with Walters' predecessor, Gen. Cushman, the Marine Corps commandant.

Gen. Cushman was Nixon's naval aide during the former's vice presidential years. Gen. Walters was President Eisenhower's personal interpreter and accompanied Nixon on his disastrous 1958 tour of Latin America.

In short, it looks as if CIA may have been into the Watergate-Ellsberg mess up to its clandestine ears.

NEW YORK TIMES
8 May 1973

Excerpts From Hunt's Testimony on Vietnam Cable and From Krogh's Affidavit

Special to The New York Times

LOS ANGELES, May 7—Following are excerpts from a transcript of additional grand jury testimony by E. Howard Hunt Jr. and from an affidavit by Egil Krogh Jr. as released at the Pentagon papers trial here today:

Hunt Testimony

Q. All right. Now, did you ever engage in any other clandestine operations? A. Not of that type, no, sir.

Q. What type did you engage in? A. The only other one that comes to mind has to do with the widely publicized fraudulent Vietnamese cable.

Q. Tell us about that. A. Which to my knowledge is not an illegal activity.

Q. What did you do?

A. During the course of the researches, which are performed with the help of the Department of State, going over many hundreds of cables, comparing them with what actually appeared in the Ellsberg so-called Pentagon papers it became clear to me, from the State Department files, that a number of cables were missing. And that is to say that the chronological files did not contain cables in chronological sequence. Some of these micro-file—well, there weren't no micro-file, but they were greatly reduced in size approximately 3 by 4 inches from an 8—about half-size reduced.

Chronology Found Lacking
But these small versions had been extracted so that there was not a complete chronology of the period of the Vietnam war immediately prior to and subsequent to the assassination of then Premier Diem.

Inquiries at Pentagon

This encouraged me to have inquiries made at the Central Intelligence Agency as to whether or not their chronological files for 1963 were still intact. I wanted to obtain legal access to their files to see whether or not any of these checks in the assassination story could be filled in through reference to C.I.A. traffic.

I was told that the communications office of the Central Intelligence Agency did not maintain their chronological files for that period of time. I think that more than five years had elapsed and they had been destroyed and not stored at the Department of State.

I also had occasion to in-

quire—or I had inquiries made—of the Pentagon, as to whether the so-called back channel had been utilized for any of its missing traffic and was told that no copies had been kept at the Pentagon of this type of traffic that might have taken place between, let's say, the commanding general in Saigon and the chief of staff in Washington.

I also, with some difficulty, managed to obtain the State Department's file. It was a State Department back channel. It was Secretary of State to the Ambassador, back and forth, and I went through that, satisfied myself that there was nothing of substance in there but, at the same time, I had concluded that a lot of significant traffic was missing.

And there came a time when I mentioned this to Mr. Colson, who I had been directing my research into the—at the particular period—the Vietnamese war, and told him that, in my opinion, a lot of stuff that should have been there had been extracted.

He said, "How do you account for that?" And I said, "Well, some of the cables that they still have on hand at the Department of State have been sent, with date stamps, saying photographed or duplicated for the John F. Kennedy Memorial Library."

Removal Termed Possible

So I said, "Well, obviously, anybody who had been given access to the Department of State files for the purposes of incorporating them into material held by the J.F.K. Library would also have had opportunity to remove any cables that could have been embarrassing to the Kennedy legateses."

And he said, "Well, what kind of material have you dug up on the files that would indicate Kennedy complicity?"

And I showed him three or four cables that indicated that they had pretty close to pull the trigger against Premier Diem's head, but it didn't say so in so many words. Inferentially, one could say that it was a high degree of Administration complicity in the actual assassination of Diem and his brother.

And he said, "Well, this isn't good enough. Do you think you could improve on them?"

I said, "Yes, I probably could but not without technical assistance." After all, I had been given some training in my past C.I.A. career to

do just this sort of thing and had done it successfully on numerous occasions, floating forged newspaper accounts, telegrams, that sort of thing.

So he said, "Well, we won't be able to give you any technical help. This is too hot. See what you can do on your own."

So, with the very meager means at my disposal, which were literally a Xerox machine in the White House, a razor blade and a typewriter—which was not the same one as had been used on the original cables—I set about creating two cables which bore on that particular period.

The process was realtively simple. I first of all prepared a cable text. In other words, from many of these cables I could pretty well adjust the text to the type of language that would be used by the man who was the ostensible originator, and altered these, from time to time, until I was satisfied that I had two creditable cables.

Signature Problem

Then the problem came of getting the bottom line, which had the signatures of the reviewing officers and the originating and the heading, which had also the time date stamp on it, which was a crucial thing.

And simply by Xeroxing and re-Xeroxing, I substituted a text for what previously had been a legitimate cable and could use those.

I was not satisfied with the result. I showed them to Colson. He seemed to like them and I said, "These will never stand any kind of scrutiny." I said, "Let's be very sure about that."

And I asked the F.B.I. to tell me what kind of type face has been used on the original State Department cables and actually a White House cable, because one of them was ostensibly a White House cable, and I found out that it would be impossible for me to get access to a similar type page.

So I knew this was a technical problem that could not be overcome. So if anybody was going to see these cables, they'd simply have to see them. They could never be published.

So there would just have to be a fast brush show on a take-it-or-leave-it basis, which I began to believe was the purpose Mr. Colson had in mind.

4. That on or about July 15, 1971, affiant was given oral instructions by Mr. John D. Ehrlichman, assistant to the

President of the United States, for domestic affairs, to begin a special National Security project to coordinate a Government effort to determine the causes, sources, and ramifications of the unauthorized disclosure of classified documents known as the Pentagon papers.

5. That Mr. David Young of the National Security Council staff was assigned to this special project with him;

6. that to his information and belief one reason for undertaking an independent investigation centralized among White House staff was that a close personal relationship existed between the then director of the Federal Bureau of Investigation, J. Edgar Hoover, and Mr. Louis Marx, father-in-law of Daniel Ellsberg, admitted public source of the Pentagon papers.

7. That on affiant's information and belief the establishment of an independent investigatory unit reporting to the White House staff was expressly agreed to by Director Hoover and this agreement manifested in a memorandum from Director Hoover;

8. That to his information and belief Central Intelligence Agency investigative support was unobtainable for this special National Security project and to the lack of C.I.A. jurisdiction within the Territorial United States;

9. That in July, 1971, the affiant recommended to Mr. John D. Ehrlichman that Mr. G. Gordon Liddy be employed by the special unit as an investigator and staff assistant, and Mr. Ehrlichman subsequently authorized the employment of Mr. Liddy;

Hunt Remembered

10. That Mr. E. Howard Hunt was recommended to affiant for assistance on the Pentagon papers investigation, such recommendation was made to affiant over the telephone by Mr. Charles C. Colson, Special Counsel to the President;

11. That Mr. Colson's recommendation of Mr. Hunt was based on Mr. Hunt's investigative experience as an agent for the Central Intelligence Agency;

12. That Mr. Hunt was at that time employed as a part-time White House consultant by Mr. Colson on matters not known to me;

13. That information obtained by the special unit made it imperative to ascertain whether the unauthorized disclosure of the Penta-

gon papers was (a) an individual act, (b) the act of a small group, or (c) the result of a wider conspiracy to engage in espionage;

14. That during the early stages of the investigation, affiant received information suggesting that Dr. Ellsberg did not act alone;

15. That the affiant was informed by the Federal Bureau of Investigation that the so-called Pentagon papers were in the possession of the Soviet Embassy, Washington, D.C., prior to their publication by The New York Times newspaper suggesting an effort to aid and abet an enemy of the United States through the ally;

16. That shortly thereafter additional public disclosure of classified information related to national security took place, to wit:

A. Publication of a news story on the Strategic Arms Limitation talks with the Soviet Union, and

B. Publication of a news story on Aug. 12, 1971, regarding a Soviet move to avert a war by entering into a pact with India;

17. That following the publication of the above mentioned SALT story, the affiant was personally instructed by President Nixon, in the presence of John D. Ehrlichman, that the continuing "leaks" of vital information were compromising the national security of the United States, and the President in-

structed the affiant to move ahead with the greatest urgency to determine the source of "leaks;"

18. That the affiant was informed by the C.I.A. that a news story had put in jeopardy the life of an intelligence agent, thus emphasizing the need for increased investigative effort on the part of the affiant's special unit;

19. That in addition the affiant was informed repeatedly during the months of July and August of 1971 of the extreme threat perceived to be developing by high Government officials, because of the possibility of further unauthorized disclosure as to the capacity of the United States Government to conduct its foreign affairs and protect its national security;

20. That efforts to discover the sources had not succeeded;

21. That affiant's special unit received information from an interview conducted by the Federal Bureau of Investigation with one Dr. Fielding, former psychiatrist to Daniel Ellsberg, which yielded no information;

22. That additionally a psychological profile of Dr. Ellsberg, prepared by the C.I.A. provided no useful information to the affiant's special unit;

26. That general authorization to engage in covert activity to obtain a psycho-

logical history or ascertain associates of Dr. Fielding was thereafter given to the special unit by John D. Ehrlichman;

27. That plans for acquiring the information from the office of Dr. Fielding were developed by Mr. Hunt and Mr. Liddy;

28. That to affiant's information and belief a first trip to California was undertaken by Mr. Hunt and Mr. Liddy to determine means for acquiring the information.

29. That films of the premises of Dr. Fielding's office were brought back by Mr. Hunt and Mr. Liddy following the first trip.

30. That the affiant's understanding and belief certain of these films were left in a camera belonging to the Central Intelligence Agency and transmitted to the Department of Justice by the Central Intelligence Agency.

31. That a second trip was undertaken to acquire the information in early September 1971.

32. That in affiant's supervisory capacity, affiant agreed to the mission with the understanding that Mr. Hunt and Mr. Liddy would obtain the service of certain mission.

34. That recent newspaper reports suggesting that an individual had accepted responsibility for the entry into two offices on the premises where Dr. Fielding has his office was a completely unknown incident to affiant;

Funds for Undertaking

35. That to affiant's understanding and belief the funds for implementing the effort to acquire the information were provided to affiant through an unknown intermediary after a request by affiant to Mr. Charles Colson for the funds;

36. That to affiant's knowledge affiant did not inform Mr. Colson as to the reason for the request for funds;

37. That to affiant's understanding and belief the funds totaled \$2,000.00 which were to be used for expenses;

40. That to affiant's understanding and belief no information of any kind was transmitted to any Government agency for use in the prosecution of Dr. Daniel Ellsberg derived from either trip to California as none was obtained.

41. That upon return from the second trip to California, failure of the objective to acquire information was reported by Mr. Hunt and Mr. Liddy to affiant and photos of destructive activity within an office were displayed to explain the events which had reportedly transpired.

42. That photographs of Dr. Fielding's apartment were presented by Mr. Hunt and Mr. Liddy with a recommendation that another attempt be made to acquire the desired information.

NEW YORK TIMES

10 May 1973

Unintelligence

"The Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions," states the National Security Act of 1947 creating the nation's Central Intelligence institutions. Scarcely having lived down the unsavory image of running an "invisible government," officials of the Central Intelligence Agency have now allowed the organization to be used as a sort of secret police for the Nixon Administration.

The latest institutional victim of the decay spreading out from the Watergate is an organization with such capacity for free-wheeling operation that it can ill afford the slightest taint of misuse. One would have thought this point obvious to the agency's then deputy director, Marine Gen. Robert E. Cushman, when he reportedly received a telephone call from John Ehrlichman at the White House in 1971 asking for undercover assistance on a sensitive operation. By the agency's own depositions, it took nearly five weeks for the intelligence authorities to realize they were being used illegally. Only then did they cut off the facilities provided to help in the rifling of the files of Daniel Ellsberg's California psychiatrist.

General Cushman is no novice in White House circles. He had served Vice President Nixon for four years as military aide; last year Mr. Nixon picked him out of the

C.I.A. to become Commandant of the Marine Corps and member of the Joint Chiefs of Staff. He has now been summoned to give his version of the Ellsberg incident to a Congressional committee. Did he, for instance, bother to question the alleged "national security" need for the requested facilities? Or was it enough just to have a simple call from the President's man, whatever the law says?

When institutions of democratic government function through a personal network in defiance of legal procedures, disaster can only follow. And it is an ironic footnote that even the C.I.A. can now see that bureaucratic "favors" are not necessarily reciprocated in the present Administration: Watergate burglar James W. McCord has disclosed an audacious—and abortive—attempt to blame the C.I.A. for the Watergate operation and thus transfer guilt away from Mr. Nixon's political apparatus, the Committee for the Re-election of the President. The honor of the Government, it would seem, is more expendable than the reputation of a partisan political machine.

Cronyism has a long and inglorious tradition in the American Presidency. Of all the organs of government where it is out of place, security and intelligence services are the most crucial. Valuable work performed by the Central Intelligence Agency, like that of the Federal Bureau of Investigation, has now been tainted by the inexcusable overeagerness of a few misguided men to heed dubious whims wafted from the White House.

Saturday, May 5, 1973 THE WASHINGTON POST

Hunt: '2 or 3 Men Went Into the Office, Pried Open a File'

Following are excerpts from the transcript of convicted Watergate conspirator E. Howard Hunt's appearance before a federal grand jury in Washington, D.C., last Wednesday. The transcript was made available by attorneys for Pentagon Papers defendants Daniel Ellsberg and Anthony Russo:

Assistant U.S. attorney Earl Silbert: Well, let me ask you this. You were taken on as a consultant at the White House on July 6, 1971?

E. Howard Hunt: Yes, sir.

Q. One of the first assignments, and I think that you have testified to this before the grand jury, related to the project involving the so-called Pentagon Papers.

A. The leaks attending them. Yes, sir.

Q. And you worked on that with Mr. G. Gordon Liddy, is that correct?

A. That's correct, sir.

Q. And Mr. Young, David Young, was also involved in the project?

A. As I have testified. Yes, sir.

Q. I think you gave some general description of what your various duties were, but perhaps you could explain to the ladies and gentlemen of the grand jury how it came about that in connection to your assignment relating to the leaks, the Pentagon Paper leaks, that you have information relating to the break-in in the office of Mr. Ellsberg's psychiatrist.

A. Yes, sir. My initial work on the Pentagon Papers involved, of course, thoroughly familiarizing myself with those portions of the so-called Pentagon Papers which had appeared in the press.

We obtained initially from the White House news staff copies of everything that had appeared in the various newspapers to which Dr. Ellsberg and his associates had given copies of these classified papers.

It then became incumbent upon me to check those printed materials against the original sources.

In doing so I saw that arrangements were made so that I was able to enter the State Department file room

and extract it, well, from the State Department file room, watching cables or cables that would verify that authenticity of the materials that had already appeared in the press.

That was a long and rather burdensome task, as you might imagine. I suppose that I must have reviewed, oh, I daresay, upwards to four or five thousand cables.

I had made at the Department of State Xerox copies of a large number of cables, some of which you have, I believe, in your possession to this day, Mr. Silbert.

Q. And those came from your safe when the safe was searched at the White House? Is that correct, sir?

A. That was where I last saw them.

At this point, as I have testified to, a group came into being which was simply, for our purposes, known as Room 16.

Mr. Young was there, Mr. Liddy had a full time office there, I had a part-time office there in addition to the one that I had on the third floor of the White House. The operational direction of that group was provided by Mr. Egil Krogh, who at that time, I believe, was the principal deputy to Mr. John Ehrlichman.

It became known to Mr. Liddy and myself, and I believe it must have been Mr. Krogh who told us, that there was an intense amount of interest in Mr. Ellsberg.

Mr. Ellsberg had been indicted not long before and the White House had been receiving, I believe on a daily basis, reports from the Federal Bureau of Investigation and other law enforcement agencies of the government. I think there would be weekly summaries and compilations, some of them rather elaborately indexed.

I was given access to all of this material on an absolutely routine basis. I became very familiar with the case itself.

At that time, as I understood it, there was some concerns in the White House about the appropriateness of seeing the prosecution actually take place with regard to Dr. Ellsberg and his associates, and I shared that concern.

My own feelings being

that he would probably become a martyr in looking at things politically, and I felt that it was a poor judgment to draw.

Nevertheless, the reports came in. I am now referring to Federal Bureau of Investigation reports.

In any event, a picture of a man began to emerge that allows not only interest on the part of certain White House officials, and I'm not sure who all of them [are], but certainly on the part of Mr. Krogh and Mr. Young, and, as far as that goes, myself, to the extent that I was a White House official, and Mr. Liddy.

It was felt, and I believe Mr. Krogh, who was the lawyer, suggested that it would be well if something could—if some way could be found whereby a judgment call could be made on Ellsberg in regard to his prosecutability.

Extracts were made of material dealing with Dr. Ellsberg's rather peculiar background, and we read these excerpts and concluded that the best instant sources of a full read-out, or a reasonably full read-out on Dr. Ellsberg would be through whatever files the psychiatrist had been maintaining on him during the period that Dr. Ellsberg was under analysis.

I don't know who mentioned the possibility of a bag job on the psychiatrist's office first, but in any event it became a topic of low-key conversation around the office.

At that time I was fairly new to the White House. I said, "Well, if you want the materials, why can't we just simply get the FBI to procure it?"

The answer, which I believe was provided by Mr. Liddy, was that in the last five or six years, under Mr. Hoover's aegis, the Federal Bureau of Investigation had ceased training its agents in entry operations, and that the cadre that the bureau used to maintain for this type of operation was no longer in existence.

I recall raising the question as to whether or not the Secret Service might not be an appropriate unit for such a task. The reply that

was given to me, and I believe it was also by Mr. Liddy, was that the White House did not have sufficient confidence in the Secret Service in order to entrust them with a task of this sort.

There came a time shortly thereafter when it was suggested that perhaps the unit, which has been popularly described as "The Plumbers" in the press but which was never so called during my incumbency, might be able to undertake such an operation on its own.

To that end, Mr. Liddy and I were authorized to fly out to the West Coast, Los Angeles, in what month I can't remember, but it should be a matter—

Q. September 2, 1971?

A. (No response.)

Q. Assistant U.S. Attorney Donald Campbell: You flew out in August also.

A. No, sir. I am actually speaking of the earlier reconnaissance.

Q. August 25—you and Mr. Liddy traveled to Los Angeles and registered at the Beverly Hilton hotel.

A. That must be it. In any event, we were authorized to make a preliminary vulnerability and feasibility study for such an operation.

Mr. Silbert: Who authorized that, sir?

A. Mr. Krogh.

Q. Did Mr. Young know about that?

Y. Yes.

Q. Who else knew about it? . . . Did any other official know about it?

A. Not to my direct knowledge. No, sir.

Q. To your indirect knowledge?

A. No, sir, not to my knowledge. I have no knowledge of whether other officials might have known about it.

Although that certainly is not to say that there were not others, because I don't know with whom Mr. Krogh and Mr. Young might have been in consultation.

So on or about August 25, as Mr. Campbell has indicated, we did in fact fly to the Los Angeles area and conduct an examination of the external areas of Dr. [Lewis] Fielding's office.

In fact, we passed through the building one evening, took some photo-

graphs with a very special camera, and located where Dr. Fielding's home was located. We took the mileage and timed the distance it would take a man in average traffic to drive between Dr. Fielding's home and his Beverly Hills office.

We did a rather thorough, I think, professional study of the objective. We took photographs outside the building of the area itself, and then we returned to Washington and wrote up our findings.

This took the form of — I don't believe it was formal memorandum, but rather a series of paragraphs that described the operation or the operative circumstances.

The photographs were developed and attached, and then the decision was awaited.

Q. Okay. To whom were the findings and the photographs delivered?

A. Well, I would have to say ultimately to Mr. Krogh. To the extent that Mr. Liddy was in the office all time. And he and I cooperated in drawing up the study. The vulnerability study, I would have to say that when my portion of it was finished, I left it with Mr. Liddy.

I would have to assume that he and Mr. Young discussed it, as was their custom, and then it went to Mr. Krogh. I was not present when the material either was passed from hand to hand, or forwarded by Buck Slip.

A. The pictures that were taken, was Mr. Liddy in any of those pictures?

A. Yes, sir, he was.

Q. Why was that?

A. To provide a reason for taking the photographs on a particular street.

Q. I'm sorry, I don't know—understand that.

A. Well, it would be a little unusual for a man to stand in front of an office building and photograph it.

Q. I see. So you wouldn't raise curiosity at the time the photographs were being taken?

A. That's correct. Yes, sir.

Q. All right, what kind of special camera was this?

A. It was a camera that was concealed inside a tobacco pouch, and it was fitted transversely into the tobacco pouch. It was an experimental model.

Assistant U.S. Attorney Seymour Glanser: Where did you get this from?

A. It was issued by the Central Intelligence Agency.

Q. How did you get that issued?

A. It was issued through the representation of Mr. Krogh.

Q. To whom?

A. It was issued to me.

Q. But who did he make these representations to?

A. I don't know.

Q. Who did you get it from?

A. It was given to me by a Technical Services representative of the CIA.

Q. What's his name?

A. I don't know.

Q. Where did you meet him?

A. In a safe house, the same one that we used when we were given disguises and other physical equipment.

Q. Where is this safe house?

A. It's up on upper Massachusetts Ave. near the cathedral on the west side of the street. I don't recall the number.

Q. You don't recall the address now?

A. No, sir, I don't. It was a modern apartment building. It was nothing out of the ordinary.

Q. Do you recall that person that you spoke to there gave you the equipment?

A. I could identify him from a photograph, but I had never seen him before, and I have never seen him since, to my knowledge.

Q. Now, Mr. Hunt, did you receive a camera from the Central Intelligence Agency at a time different than you received your identification papers and your disguise?

A. Yes, sir.

Q. Was that at the same safehouse?

A. I'm not sure. Now that you ask me, Mr. Silbert, I recall a second safehouse, but that was a safehouse that Mr. Liddy went to when he was given a physical disguise.

Q. And at the time he was given the disguise, is that when he obtained his identification papers with respect to George Leonard?

A. Yes, sir.

Q. And at the time that you received your disguise, that was when you received your identification papers with respect to Ed Warren?

A. Yes, sir. . . We received our documents and physical disguises at different places at different times. I was present when Mr. Liddy received his physical disguise.

Q. Is the place that you went to to receive the camera, is that [the] safehouse that you went to to receive your disguise and false documentation, or is there a third safehouse involved?

A. I don't recall a third safehouse. I recall only a second safehouse. That was where Mr. Liddy was also given instructions in the use of the camera.

By Mr. Glanser: On each occasion did Mr. Krogh arrange this? Did you operate through Mr. Krogh.

A. I operated through Mr. Krogh to answer your general question, but I had been given a sterile number at the Central Intelligence Agency to call when a materiel requirement needed to be met.

Q. What's a sterile number?

A. An unlisted number where billings are not reflected.

Q. Who gave you that number?

A. It was given to me by the technical services representative who first called me.

Q. So I take it you made the call to this sterile number in order to set up this second safehouse meeting?

A. That's right. He simply said, go to such and such an address on Massachusetts Avenue at 10 o'clock and knock four times on room 240, or whatever it was. That would be all there was to it. Then there were unfamiliar men in there.

By Mr. Silbert: All right. Would you proceed? We were at the situation where you went out and you had taken some photographs. You had made a report as you have described it of your findings, and to your knowledge it was finally submitted to Mr. Krogh, probably, you said, through, Mr. Young?

A. Yes, sir.

Q. Then what was the next event?

A. I should ask at this point that our recommendations were of a positive nature. We felt that the operation could be performed.

It was pointed out to us, and this had been the understanding all along, that no one with any association with the White House could be involved in any way directly with such an operation.

So I was asked whether or not as a result of my old CIA contacts, I could come up with a team capable to make such an entry.

I said that I would look into it, and I must have gone down to Miami at that time to interview Mr. Barker and some of his associates, although I have no particular recollection of it.

Mr. Barker said that he would be very glad to help in a national security operation, which is how I described the operation to him.

I met Mr. Martinez and Mr. Felipe DeDiego very briefly. . . I incorporated

my observations of the Cuban part of the entry team in a memorandum so that the whole proposition was available for whoever was going to make the final decision.

I do not recall the exact date when these decisions were made, but it was not terribly long before the actual entry.

One of us must have pointed out that the Labor Day weekend would provide an ideal opportunity for such an entry operation, and so we established Labor Day weekend as D minus counting back D minus one, and so forth.

Mr. Liddy and I proceeded by way of Chicago, where we picked up a Minolta camera at a large camera store under an alias. We picked up some walkie-talkies at Allied Radio which is headquartered in Chicago, and took the next plane out to Los Angeles from there.

We were united with the three men from Miami, and I believe—that evening we familiarized them with the area under the nighttime operating conditions.

We had the rented cars. We had the walkie-talkies, I believe four of them in number.

We knew where Dr. Ellsberg was. We knew from previous reconnaissance that the building was not locked, and that access was quite feasible because a cleaning woman was there for several hours during the night, and both the front and rear doors were customarily left open.

We wanted a pretext entry, a fact that was obtained by equipping two of the men from Miami with delivery men's clothing and a large green suitcase which actually carried the camera equipment inside it.

The suitcase itself was adorned with Air Express invoices and stickers, "Rush Immediately" to Dr. Fielding.

On the basis of the appearance of that object, representations were actually made to the cleaning woman and she admitted these two gentlemen into the Fielding office.

They simply deposited the suitcase inside the office. Then, to the best of my recollection, they punched the unlocking button on the inside of the door and departed.

Later on that night I was stationed at Dr. Fielding's residence to make sure that his car remained in his garage. Mr. Liddy was cruising the general area around—I can't even remember the name of the street in Beverly Hills, but it was South Rodeo Drive, possibly. . .

I think that they went in around 11. In any event, I was satisfied that Fielding was not going to leave. I more or less put him to bed, and then I came back to the downtown section of Beverly Hills.

I drove around the area and saw nothing that would disturb me. I went up to the Beverly Hilton where I had a line of sight of the office of Dr. Fielding.

I understood subsequently when the operation was completed, that the entry had been accomplished, but that it had to be accomplished through the use of force; that is to say that entry had been made at the rear of the building because the cleaning lady had gone home, being Saturday night or a holiday weekend, or whatever, so that the doors were not open as we had expected.

Either two or three men went into the office, pried open a file, a patient file, and began—again, this is hearsay—examined it as they were told to do just before they entered in the operation. They were told to look for any file, any material on Ellsberg, and to disregard anything else.

It was reported to me that they had gone through every file in Dr. Fielding's office, including the one in his desk, and that there had been absolutely no material in with the name of Ellsberg on it of any sort.

They took a Polaroid camera shot of at least one, if not two, of the open files in the file cabinets, or the file drawers, by way of indicating that the job had actually been accomplished.

We met back in the Beverly Hilton for a discussion of the operation. Nothing evolved from it. They were told to take the next plane out of town, and Mr. Libby and I departed subsequently.

Q. Now the records that you submitted to the White House for reimbursement as a consultant show that for the dates Sept. 2, Sept. 3, Sept. 4 you claimed eight hours' work each day, and Sept. 5 — eight hours' work.

A. Yes, sir.

Q. And that compensation that you claimed from the White House was for carrying out that assignment?

A. Yes, sir, or so I construed it.

Q. Now, when you returned to Washington, to whom did you report?

A. At about 4 in the morning immediately following the entry, we were all back in the hotel. Mr. Liddy placed a prearranged call to Mr. Krogh.

Q. And advised him of the results of your operation?

A. And advised him very

briefly. He didn't say that we hadn't gotten anything, but it was just to say that the entry had been conducted without interference.

Q. But of course you obtained nothing from that entry.

A. That is correct.

Q. Did you use in any way for that operation the disguises that had been furnished to you by the Central Intelligence Agency?

A. I did not personally on that night. It was dark and I didn't need it.

Q. Did you make any further report, or was any further report made besides the prearranged call to Mr. Krogh in the early morning hours following entry?

A. Yes, sir. When Mr. Liddy and I returned to Washington we made a full report of it to Mr. Krogh and Mr. Young.

Q. Was it a joint briefing, or what form did your report take?

A. I don't recall writing anything. The fact of the matter is that Mr. Krogh didn't want to hear very much about it because we had been unsuccessful.

As I recall, he came down from his regular office on the first floor by prearrangement, and we discussed it with him for 15 or 20 minutes, possibly a half an hour.

We told him what had happened, that there were no fingerprints left behind. It was a clean operation, but it had failed to produce.

Q. And you told that to both Mr. Young and Mr. Krogh. Is that correct?

A. I don't know about the same time, but Mr. Young certainly knew that. Yes, sir.

Q. Now the funds for this operation, where did you obtain the funds?

A. The funds were handed, just before we left for California that weekend, to the best of my recollection, by Mr. Krogh directly to Mr. Liddy.

Q. Did Mr. Young know that funds were being supplied?

A. He would have to.

Q. What funds were provided to the three men from Miami; that is, Mr. Barker, Mr. DeDiego, and Mr. Martinez?

A. Certainly their plane fares, and a moderate amount of money to reimburse them for the time lost in the real estate business.

Mr. Glanser: Were you a party to any other operations aimed at Mr. Ellsberg or anybody related to Mr. Daniel Ellsberg?

A. To the best of my recollection, no.

Q. Are you aware of any other attempts to obtain information about Dr. Ellsberg in this fashion?

A. No, sir.

Q. Or in the like fashion?

A. No, sir. Well, possibly I can get to what you you want.

Following our post-operation briefing of Mr. Krogh, there entered a discussion, and I don't know whether Mr. Krogh brought it up, whether Mr. Liddy did, or whether I did, but we suggested that if in fact there was an Ellsberg psychiatric file, it might conceivably be kept at Dr. Fielding's home.

Some discussion in the next few days, possibly even weeks, was made as to whether or not this was a viable type of approach, and it finally decided that it was not.

We were told just simply to forget it.

Mr. Silbert: Now did there come a time when anyone else, to your knowledge, was advised of this operation with respect to Dr. Ellsberg's office after the fact, that is after the operation had been completed?

A. No, sir. I have no knowledge of that.

Q. Did you ever have a discussion with anyone else about this subject matter?

A. I attempted to on one occasion, but I was unsuccessful.

Q. With whom did you attempt to have it?

A. I entered the office of Mr. Charles Colson, probably on the Monday or Tuesday—in any event, the day following our return to Washington.

I had in my hand at that time a photograph of the rifled safe. I arrived at his office before he did, I simply sat there and Mr. Colson came in.

He came in with a long stride, and I said, "I have something that might be of interest to you. It has to do with my activities this past weekend."

He said, "I don't want to hear anything about them," and went on into his office.

Q. Did you ever have a conversation with Mr. John Ehrlichman relating to this operation?

A. No, sir. At any time.

Q. To your knowledge did Mr. Liddy ever have a conversation with Mr. Ehrlichman concerning this breaking in?

A. To my knowledge, no. I never heard it alluded to.

Q. Specifically, did Mr. Ehrlichman ever direct you not to commit such an act again?

A. Personally?

Q. Personally.

A. No, sir. I met Mr. Ehrlichman only once in my life, and that was in June.

Q. When was that?

A. That was on the day approximately when my plan began at the White

House. I was introduced to him by Mr. Colson.

Q. Did you ever have any other conversation, other than that one occasion, with Mr. Ehrlichman?

A. No, sir. Now it may very well be—and of course I am not innocent of what Mr. Ehrlichman has said in the newspaper. I have been studying it all morning here.

I would construe Mr. Ehrlichman's refusal to participate in another operation in these terms. He simply said to Krogh, if he said that—it was probably, "forget about it. Don't do it, or don't do something like that again." It would have been the equivalent of telling us not to do this.

When Krogh had told us to forget about it, that to me would be the equivalent of his superior telling him to knock it off.

Q. Let me ask you this. With respect to Dr. Ellsberg, do you know, or were you ever aware of any other attempts to obtain information about Dr. Ellsberg's psychiatric profile or his background profile in any manner, shape or form?

A. Well, some months subsequent to that, it occurred to me that the CIA might be helpful in providing such a psychiatric profile.

Q. So what did you do?

A. How did I arrange that? I asked—I suggested to David Young—I said, "After all, we had a whole psychiatric unit set up at the Central Intelligence Agency to provide, in effect, second-hand profiles of persons of interest to the United States government. That is an activity that has been going on for many years."

I happened to know the chief of the unit, Dr. Bernard Melloy. I mentioned his name to Mr. Young, and Mr. Young, I believe, was instrumental in bringing Dr. Melloy to our office in Room 16.

At this time we discussed what was required of him, and he said that he would consult with the chief of security at Central Intelligence Agency. In due course we embarked upon a program in which we assisted Dr. Melloy by providing him excerpts of FBI reports and other materials relating to Dr. Ellsberg so that he could construct this sort of psychiatric profile.

Admittedly it's second-hand, but our office had been interested in it in the first place.

Q. Did he provide such a report?

A. He did.

Q. To whom did he provide it?

A. Well, he provided it—it was transferred from Dr. Melloy probably to Mr. Young or to Mr. Krogh by memorandum. I don't know to whom; I didn't see it.

THE WASHINGTON POST Sunday, May 6, 1973

Justice Had Hunt's File On Ellsberg Last July

By George Lardner Jr.
Washington Post Staff Writer

For 10 months, the Justice Department had in its possession a file from the White House on Daniel Ellsberg, compiled by Watergate conspirator E. Howard Hunt.

It contained three copies of a 28-page chronology of Ellsberg's life, including notations of private phone calls and visits he had made to two psychiatrists.

On Friday this file was finally turned over to the federal judge in Los Angeles who is presiding at Ellsberg's trial on charges of stealing the Pentagon Papers. It may have a material bearing on the outcome of the trial because it is now known that Hunt and his partner in the Watergate case, G. Gordon Liddy, directed the break-in at the office of Ellsberg's psychiatrist in California in 1971 to obtain his medical records.

It is also known now that the secret investigation of Ellsberg by Hunt and Liddy was ordered by White House employees working under then Presidential assistant John D. Ehrlichman.

It is also known that with Hunt's "Ellsberg" file already in hand, the FBI interviewed Ehrlichman last July 21 about "the activities of Hunt and Liddy while they were under his (Ehrlichman's) employment at the White House."

Yet it was not until two weeks ago that Ehrlichman's familiarity with Hunt and Liddy's "in-depth investigation" of Ellsberg was disclosed.

The failure of the Justice Department to divulge to the court before now the contents of the Ellsberg file and its failure to notify those involved in the trial of the White House investigation of Ellsberg is unexplained.

Two of the principal Justice Department figures in the Watergate investigation have no recollection of why those disclosures were not made.

The FBI refuses comment. So does Earl J. Silbert, the chief assistant U.S. attorney here, who had physical custody of the Ellsberg file last summer.

"We were investigating the Watergate," Silbert said. "I didn't know anything more about the Ellsberg case than any other citizen."

Silbert also declined to discuss last July's FBI inter-

view of Ehrlichman, which was undertaken at Silbert's request.

The chronology is this:

FBI agents first contacted the White House to inquire about Hunt's work there on June 17, 1972, hours after the break-in at Democratic National Committee's headquarters in the Watergate office building.

Ten days later, on June 27, according to memoranda submitted for the record at former FBI chief L. Patrick Gray's ill-fated Senate confirmation hearings, then White House Counsel John W. Dean and his aide, Fred Fielding, handed FBI agents two cardboard boxes full of Hunt's effects from his office at the Executive Office Building.

An inventory of the paraphernalia and documents, which had been temporarily stored in Dean's White House office after the Watergate arrests, was set down in a pair of memos dated last July 3.

The list included a .25 cal. automatic, with a clip of ammunition; microphones, antenna leads, earphones and other electronic equipment, and various documents such as "one brown envelope marked 'Howard Hunt, Eyes Only, Personal, Unclassified'"; six brown envelopes with classified material relating to the Pentagon Papers, and "one tan folder marked 'Ellsberg' containing numerous papers concerning one Daniel Ellsberg."

On June 28, The Washington Post reported last week, was given more documents from Hunt's Executive Office Building safe during a White House meeting with Ehrlichman and Dean. Dean is said to have warned Gray that the two folders, which included fabricated State Department cables about the late President John F. acting FBI Director Gray Kennedy and a Chappaquiddick dossier on Sen. Edward M. Kennedy (D-Mass.), should "never see the light of day."

Gray, sources said, kept the documents in his apartment closet for several days and then destroyed them on July 3.

The acting FBI director, who resigned under fire last week, made no mention at his confirmation hearings of a joint meeting with Ehrlichman and Dean. Gray submitted a purportedly exhaustive list of his contacts with the two White House

aides for the Senate record, but for June 28, he noted meeting only with Ehrlichman at 6:30 p.m. that day to discuss "safeguarding investigative procedures against leaks."

That preoccupation was also reflected in Gray's other contacts with the two men. Three of his five communications with Ehrlichman during the Watergate investigation last year and 13 of his contacts with Dean dealt with leaks of information and precautions to plug them.

It was not until last July 17 that steps were taken to interview Ehrlichman about substantive matters.

On that date, Gray later reported in a memo for the Senate record, Assistant U.S. Attorney Silbert, the chief prosecutor in the Watergate case, asked the Washington, D.C., FBI office to talk with Ehrlichman.

Silbert, the memo stated, wanted the FBI "to interview Mr. Ehrlichman regarding the activities of Hunt and Liddy while they were under his employment at the White House and to obtain any documents pertaining to travel and expense accounts at the White House of Hunt and Liddy."

It took three days to get the clearance. The Washington FBI office teletyped Gray for "authority for this interview." Gray told Assistant FBI Director Charles Bates, whose general investigative division was supervising the Watergate probe, to check with Assistant Attorney General Henry E. Petersen. Bates did, assuring Petersen that the interview "would be directed at specific matters," and Petersen gave his approval.

Apprised of that on July 20, Gray said he gave the go-ahead. Ehrlichman was finally "interviewed on July 21 in Mr. Dean's presence."

The scope and results of that questioning have not been made public. By prosecutor Silbert's account, however, it was not until 2½ weeks ago that he heard of the burglary at the Beverly Hills office of Ellsberg's psychiatrist.

In an April 16 memo made public over government protests at Ellsberg's Pentagon Papers trial last week, Silbert told Assistant Attorney General Petersen that on Sunday, April 15, 1973, "I received information that at a date unspecified, Gordon Liddy and

Howard Hunt burglarized the offices of a psychiatrist of Daniel Ellsberg to obtain the psychiatrist's files relating to Ellsberg."

The burglary, it has since turned out, was reported Sept. 4, 1971, to the Beverly Hills, Calif., police, and had apparently taken place the night before. Hunt, a \$100 a-day White House consultant at the time, and Liddy, a full time employee, were both reported by The Washington Star-News to have returned East on a Sept. 4 flight under assumed names.

In addition, Hunt billed the White House for a consultant's fee on Sept. 3, the day of the break-in.

According to the government account now unfolding, however, it was not until Friday of last week, April 27, in a fresh FBI interview, that Ehrlichman acknowledged undertaking a secret White House investigation of the Pentagon Papers leak at President Nixon's explicit direction—an inquiry, Ehrlichman told the FBI, that led to the hiring of Hunt and Liddy and, in turn, to their West Coast break-in. Ehrlichman told the FBI that "when he learned about the burglary, he instructed them 'not to do this again.'"

Government prosecutors at the Ellsberg trial, meanwhile, have been under court order since April, 1972, to disclose any material from government files which might exculpate—or tend to establish the innocence of—Ellsberg or co-defendant Anthony J. Russo.

This chronology is incomplete. It does not explain why—given the strong interest of the government in the Ellsberg case—the separate investigation of Ellsberg by the White House was not fully explored by Justice. It does not explain why Ehrlichman's account of the West Coast break-in was not obtained until nearly 10 months after Hunt's interest—and the White House interest—in Ellsberg were known to both Justice and the FBI. It does not explain why, at the minimum, the Hunt file on Ellsberg was not turned over to Ellsberg's prosecutors or to the court months ago.

One of the officials involved in the Watergate investigation last summer had a theory. The Hunt-Ellsberg connection, he said, probably was simply overlooked in the press of other events; probably it got lost in the Justice Department maze.

The Ellsberg trial judge, W. Matt Byrne Jr., said this week that he would seek his own answers. The Justice Department, he said, would be forced to prove that its case was not tainted.

WASHINGTON POST
6 May 1973

WASHINGTON STAR
8 May 1973

CIA Doctor Overruled On Ellsberg

By Thomas O'Toole
Washington Post Staff Writer

The White House ordered the Central Intelligence Agency to provide it with a psychiatric profile of Daniel Ellsberg over the objections of the chief of the CIA's psychiatric division, according to informed services.

These sources said White House aides Egil Krogh and David Young told the CIA to construct for them a behavior profile of Ellsberg, even though the CIA's Dr. Bernard Melloy told his superiors such a task was an error in judgment. Melloy was ordered by his superiors to put the profile together and provide it to Krogh and Young.

"Melloy did not want to do it," one source insisted. "His orders to do it came from inside the Central Intelligence Agency and outside the Central Intelligence Agency, namely the White House."

Before the White House ordered up Ellsberg's profile from the CIA, convicted Watergate conspirator E. Howard Hunt had been provided with cameras, "safe" houses, unlisted telephones, disguises and even burglary equipment by the CIA.

Hunt had been a CIA agent from 1949 to 1970, but a reliable source said the CIA helped Hunt because he was working for the White House and not because he was a former agent who was known to many CIA employees.

"With the exception of one or two people, nobody Hunt dealt with at the CIA knew him from his CIA days," the source said. "The people who were dealing with Hunt's requests presumed he was making an unusual but legitimate request in the name of the White House."

Hunt testified before a federal grand jury last week that the CIA gave him, among other things, an experimental camera that could be concealed in a tobacco pouch.

Hunt told the grand jury that he used the camera to secretly photograph the offices of Beverly Hills psychiatrist Lewis Fielding, which Hunt and others burglarized in August, 1971, with CIA-provided tools in a search for Fielding's files on Ellsberg.

"The agency never knew

On and on come the ugly revelations, the almost daily disclosures of how this nation's political and judicial processes have been manipulated and corrupted. Now we learn that the Central Intelligence Agency shares heavily in the responsibility for the Ellsberg case, which if not directly related to Watergate nevertheless helped set the stage for it and is indisputably part of the same poisonous syndrome.

Start with the premise that, for its own purposes, the CIA had no interest in digging up damaging information on Daniel Ellsberg and his role in leaking the Pentagon papers in June, 1971. But the White House surely did. And someone at the White House, possibly John Ehrlichman, induced someone high at CIA, probably General Robert E. Cushman, to authorize the use of the agency's clandestine services in the burglary of the office of Ellsberg's psychiatrist. That happened in September, 1971, while Richard Helms was still head of CIA, and two months before General Cushman left his post as deputy director of the agency to become commandant of the Marine Corps. Meanwhile, and just as disturbing, the head of CIA's psychological assessment unit was directed (by whom?) to cooperate with the White House in working up a psychological profile of Ellsberg.

At this point, the CIA-Ellsberg episode is subject to any number of interpretations. Loose threads and unanswered questions are everywhere. Yet even an interpretation most favorable to the agency leads to conclusions that are devastating.

The CIA, in brief, has been used and compromised and discredited in somewhat the same way that the FBI, under Patrick Gray, was used and compromised and discredited in the

Watergate investigation. Perhaps it was the guilty of the two. For the CIA lent its offices to the perpetration of a shoddy crime, to the trampling of civil liberties and to a domestic surveillance operation that by law it had no business conducting even indirectly.

It is difficult to believe that Helms, a canny and professional man, would have known all this beforehand and consented to such an improbable venture as the Hunt-Liddy burglary of the psychiatrist's office. Of course, anything is possible, as the nation has learned with relentless regularity the last few weeks.

General Cushman, even if his implication in the affair can be partially explained as unthinking, has a great deal to answer for. He is, to be sure, a distinguished military officer. He is also a longtime friend and supporter of the President's. Those two things need not have been incompatible. But in this case, apparently, they were. In the anything-goes pattern of Watergate, an otherwise decent man appears to have blocked off conscience and good judgment, and gone along with whatever the White House requested.

At first the Watergate scandal was said to be the work of a few ideological zealots. Lately, it has been fashionable to lay the blame on men close to the President with a superloyal, ad-agency turn of mind. But the web of Watergate-Ellsberg spreads much farther than that. In the FBI, in Justice, now in the CIA, it involves men and vital institutions the American public should have had every reason to trust, but now do not. Aside from the diminished stature of the presidency itself, that is what is hardest to take.

how Hunt was using the camera and other equipment," one source said. "The agency people who provided Hunt with this equipment never asked him what he was planning to do with it."

The same source said the CIA finally refused Hunt's requests when they grew too demanding. The source said that Hunt began by asking for the camera, then disguises, then unlisted phones, then burglary equipment and then "safe" houses for equipment transfers and other operations.

"It was one thing to provide Hunt with a camera," the source said, "and another to give him safe houses. The CIA finally turned him off."

When the break-in at the offices of Ellsberg's psychiatrist failed to produce any files on Ellsberg, Hunt recommended to his White House superiors that they approach the CIA directly for a psychiatric pro-

file on Ellsberg.

"The CIA did not have any such profile on Ellsberg, but Hunt knew the CIA had a psychiatric division that did behavioral profiles on world leaders. The most celebrated of these profiles was the one it did of Nikita S. Khrushchev in 1961, just before the late President Kennedy met with the former Soviet leader in Vienna for summit talks.

Sources said that Hunt never directly approached the CIA about an Ellsberg profile. What Hunt did, sources said, was provide scraps of information about Ellsberg to his White House superiors, who then turned them over to the CIA for the construction of Ellsberg's profile.

Hunt's White House superiors were identified as Egil

Krogh and David Young. At the time, Krogh was a deputy to domestic adviser John D. Ehrlichman and Young was on the staff of the National Security Council. Krogh is on leave of absence from his current job as under secretary of transportation. Young has resigned.

The request for Ellsberg's behavioral profile went through an entirely different branch of the CIA, which had no knowledge of Hunt's prior requests. The later request was never made by Hunt, but by Krogh and Young.

In any event, the requests first came to the CIA's Melloy, who objected on grounds that it had nothing to do with the CIA's mission. Sources said Melloy was ordered to comply with the request, which he did.

NEW YORK TIMES

9 May 1973

Text of McCord Memo Charging Plot to Blame C.I.A. for Watergate Operation

Special to The New York Times

WASHINGTON, May 8— Following is the text of a memorandum submitted yesterday by James W. McCord Jr. to the Senate Watergate investigating committee and Federal prosecutors in the case:

Subject: Pressure on the defendants to blame the Watergate operation on C.I.A.;

I have previously referred to political pressure which was applied to the seven Watergate defendants.

One area of pressure which was applied was that of December, 1972, in which intense pressure was applied on some of the defendants to falsely claim for purposes of a defense during the trial in January, 1973, that the Watergate operation was a C.I.A. operation. This would have had the effect of clearing the Committee for the Re-election of the President and the White House of responsibility for the operation.

In two separate meetings in December, 1972, it was suggested that I use as my defense during the trial the false story that the operation was a C.I.A. operation. I refused to do so.

Cuban Money Charged

I was subsequently informed by Bernard Barker just before the trial began in January, 1973, that E. Howard Hunt and other unnamed persons in Miami had brought intense pressure to bear against the Cuban-Americans who were defendants to use the same story as their defense, that my stand taken against it had been the decisive factor causing this plot to be dropped, and that Hunt was very bitter about it. Hunt's bitterness was later revealed early in the trial when the Cubans advised that Hunt had said that I "was responsible for our being in the plight we were in for not going along with the C.I.A. thing."

At a later time, I heard from Barker that he had been told that Cuban money was suspected of being funneled into the McGovern campaign. I have no knowledge that this suspicion was ever verified.

The two December, 1972, meetings with me were on December 21, 1972 and on December 26, 1972. Present at the first meeting with me at the Monocle Restaurant in Washington, D.C., were Gerald Alch and Bernard Shankman, my attorneys. Present at the second meeting was Gerald Alch, and the meeting was at his offices in Boston, Mass.

In the first meeting, Alch stated that he had just come from a meeting with William O. Bittman, attorney for E. Howard Hunt, and I received the impression in the discus-

sion that followed that Alch was conveying an idea of request from Bittman. There followed a suggestion from Alch that I use as my defense during the trial the story that the Watergate operation was a C.I.A. operation.

I heard him out on the suggestion, which included questions as to whether I could ostensibly have been recalled from retirement from C.I.A. to participate in the operation. He said that if so, my personnel records at C.I.A. could be doctored to reflect such a recall. He stated that Schlesinger, the new director of C.I.A. whose appointment had just been announced, "could be subpoenaed and would go along with it."

Support for Gray Cited

I had noted in the newspapers of that day, Dec. 21, 1972, that it had been announced by the White House that Schlesinger would take over as director of C.I.A., and that it had been decided that Pat Gray would be supported by the White House to be permanent director of the F.B.I.

Alch went on to mention testimony, or a statement, made to Federal authorities by Gary Bittenbender, a metropolitan police department undercover police officer, whom I had seen at the courthouse on June 17, 1972, when the five of us who were arrested were arraigned, in which Bittenbender, purportedly claimed that I had told him that day that the Watergate operation was a C.I.A. operation. I advised Alch that if Bittenbender had made such a statement under oath that he had perjured himself, and that I had not made such a claim.

Bittenbender can be interviewed to determine the circumstances under which he had made such a statement, and whether his statement was in fact an honest error of impressions based on events which occurred in court on that day, which could have misled him. Those were that some of us were identified in the hearing in court as formerly connected with C.I.A.

Alch went on to mention the name of Victor Marchetti whom he was considering calling to describe C.I.A. training in which its employees were trained to deny C.I.A. sponsorship of an operation if anything went wrong and its participants were arrested. He also requested that I meet with him in Boston on Dec. 26, 1972, which I did. There he opened the discussion by showing me a written statement of an interview with Bittenbender in which Bittenbender claimed that on June 17, 1972, I had told him that the Watergate operation was a C.I.A. operation. I repeated to Alch my earlier statement,

that Bittenbender had either perjured himself, or had made a false statement to Federal authorities. I told Alch that I would not use as my defense the story that the operation was a C.I.A. operation because it was not true.

In addition, I told him that even if it meant my freedom, I would not turn on the organization that had employed me for 19 years, and wrongly deal such a damaging blow that it would take years for it to recover from it, and finally that I believed that organization to be one of the finest organizations of any kind in the world and would not let anyone wrongly lay the operation at the feet of C.I.A.

Suspected White House

By now, I was completely convinced that the White House was behind the idea and ploy which had been presented, and that the White House was turning ruthless, and would do whatever was politically expedient at any one particular point in time to accomplish its own ends.

In addition, I earlier had determined to tell the true story of the Watergate operation, and it was now only a matter of a propitious time to do so.

On Friday, Dec. 29, 1972, I visited Bernard Shankman's office in Washington, D. C., and let him read a statement which I had prepared, which I proposed to read to the press on Dec. 30, 1972, releasing Alch as my attorney. I believed that although Shankman had been present at the first meeting he was not a party to the events previously described. Shankman suggested that I give Alch an opportunity to meet with me and explain why he had undertaken the course which he had, and such a meeting was set up for Tuesday, Jan. 2, 1973 in Washington.

Dismissal of Helms

Alch failed to appear, and I delivered a letter to Judge Sirica, releasing Alch as my attorney. Alch immediately called, asked to meet with me on Jan. 3, 1973, and asked to continue as my attorney. We met and Alch stated that he, in conveying the request made of me on Dec. 21 and Dec. 26, 1972, was acting out of what he felt to be was my own best interests. By this time, I was convinced that the ploy to lay the operation at C.I.A.'s doorstep had been headed off, and agreed to give him a second chance.

By this time, I was also convinced that the White House had fired Helms in order to put its own man in control at C.I.A., but as well to lay the foundation for claiming that the Watergate operation was a C.I.A. operation, and now to be able to

claim that "Helms had been fired for it." There had been indications as early as July that the Committee for the Re-election of the President was claiming that the Watergate operation was a C.I.A. operation.

Mrs. Hunt had told me in late July, 1972, that Paul O'Brien had told Howard Hunt in July that the Committee to Re-elect the President had originally informed him that the Watergate operation was a C.I.A. operation. Mrs. Hunt said that her husband had denied to O'Brien that it was a C.I.A. operation. By early December, 1972, it appeared that the White House was beginning to make its move. The events of Dec. 21 and Dec. 26, 1972, only confirmed this in my mind.

Further, based on an earlier discussion with Robert Mar-dian in May, 1972, it appeared to me that the White House had for some time been trying to get political control over the C.I.A. assessments and estimates, in order to make them conform to "White House policy." One of the things this meant to me was that this could mean that C.I.A. estimates and assessments could then be forced to accord with D.O.D. [Department of Defense] estimates of future U.S. weapons and hardware needs. This could be done by either shifting an intelligence function to D.O.D. from C.I.A., or by gaining complete political control over it at C.I.A.

Among other things, this also smacked of the situation which Hitler's intelligence chiefs found themselves in, in the 1930's and 1940's, when they were put in the position of having to tell him what they thought he wanted to hear about foreign military capabilities and intentions, instead of what they really believed, which ultimately was one of the things which led to Nazi Germany's downfall.

When linked with what I saw happening to the F.B.I. under Pat Gray — political control by the White House — it appeared then that the two Government agencies which should be able to prepare their reports, and to conduct their business, with complete integrity and honesty, in the national interest, were no longer going to be able to do so. That the nation was in serious trouble, has since been confirmed by what happened in the case of Gray's leadership of the F.B.I.

E. Howard Hunt has additional information relevant to the above. Hunt stated to me on more than one occasion in the latter part of 1972, that he, Hunt, had information in his possession,

WALL STREET JOURNAL

8 MAY 1973

Spy Shake-Up**Revamping of the CIA
May Mean Better Data,
Fewer 'Dirty Tricks'****Agency's New Boss Gets Rid
Of Old 'Spooks,' Demands
End to Unneeded Efforts****A President & a Masseur**

By ROBERT KEATLEY

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — It seems to have been a classic espionage case in the finest Hollywood tradition.

A discreet phone call from the White House to the Central Intelligence Agency's deputy director—no written records kept—made clear the case was a matter of considerable concern. Soon after, two veteran operators were issued working tools of the spy trade: disguises, fake identification papers and a "safe house" for meeting contacts. They then pulled the job, an office break-in to steal information, and apparently did it well.

But now public disclosures have blown their operation, and the CIA is in the soup again.

That's because the job was to steal data from the psychiatrist of Daniel Ellsberg, whom the Nixon administration is trying to jail for publicizing the Pentagon Papers. Though the burglars were former CIA men, the agency apparently got involved anyway in exactly the sort of domestic political mess it is supposed, by law, to avoid. If published reports are accurate, the man responsible was Gen. Robert E. Cushman Jr., now commandant of the Marine Corps. But then the CIA's No. 2 man—a job some officials say he received due to his longtime friendship with President Nixon rather than for talent for intelligence work.

As the Ellsberg and Watergate cases evolve, the CIA may get mentioned often; several men involved were once its employees. If so, the exposure will jar even more that air of anonymity and tranquility that the agency's spies prefer—an atmosphere already being shaken by new CIA Director James Schlesinger.

Under his guidance, changes are occurring both at the agency and throughout the broader "intelligence community" that the CIA chief at least theoretically commands. Certain surveillance activities are to be curtailed or halted. The "product"—those most secret intelligence reports sent to the White House—is due for revamping. And some clandestine operations, including the manipulative or violent practices called "dirty tricks" (the stuff from which spy novels are made), apparently will be abolished.

Mr. Schlesinger is busily firing or retiring old hands, many of them colleagues of former director Richard Helms, who has been sent off as Ambassador to Iran. The new boss is lopping off about 1,000 of the agency's 38,000 employees. The Pentagon is shrinking its intelligence force by 20% and making a \$500 million cut in its intelligence activities. And the National Security Agency, which monitors foreign

communications, is supposed to stop filling storerooms with unread and apparently unneeded files gathered by electronic snooping.

The changes seem to fit a mandate given to management-minded director Schlesinger—a mandate he helped write for himself. Early in the Nixon administration, he headed a special study that recommended "a number of management steps to improve the efficiency and effectiveness of the U.S. foreign intelligence community," as the White House phrased it two years ago. Partly because former director Helms didn't follow up firmly, the job went to Mr. Schlesinger, the former head of the Atomic Energy Commission.

"Schlesinger is intelligent and ruthless, while Helms often wavered," says one official who has watched both in action. In fact, the new CIA boss takes pride in his toughness. "The intelligence community of the United States isn't designed to provide cushy positions for time-servers," he says.

Too Much Data, Too Little Analysis

The shakeup in spying is the biggest since the CIA was founded in 1947 by veterans of the wartime Office of Strategic Services. Since then, intelligence work has grown bigger and costlier as information demands have expanded and spying technology has become more complex. "Each nation has the intelligence operation it can afford—and we are a rich nation," says one former CIA official.

From the White House viewpoint, the present problem seems to be that too much money is spent gathering too much information, which receives too little analysis and is too often irrelevant to decision-makers' needs.

Related, of course, are basic foreign-policy changes. China is no longer an enemy, and the Soviet Union is a slightly friendlier adversary. "You only have to look at foreign-policy trends to realize that the need for intelligence has changed greatly," says one official. Good analysis of the Soviet economy now is as important as knowledge of the deployment of tank forces in Eastern Europe, he adds.

Mr. Schlesinger has made the point himself. "The continuing and significant changes in the international scene have brought corresponding changes in the national intelligence requirements and priorities imposed upon the agency," he told a Senate committee recently. "These changes demand adjustments in the agency's mission and in the numbers and skills of the employees it needs to carry out this mission."

Thus, reasons one practitioner of the art, "those who care about intelligence must hack away at the structure if it is to be modern and relevant to needs of policymakers." But he fears the administration may use the cleaver rather than the paring knife. "An intelligence system can be emasculated or collapsed easily," he says.

Some critics would prefer a cleaver. They see the CIA as an "invisible government" whose exuberance has dragged America into conflicts such as the Cuban invasion of 1961 and the "hidden war" in Laos during the past decade. They cite the Ellsberg incident as fresh proof. "The operators think anything is OK in the name of national security," complains Victor Marchetti, a disenchanted former senior CIA staffer whose efforts at exposé have so far been mostly squelched by the agency.

Less zealous critics often agree. One is Democratic Rep. Lucien Nedzi of Michigan, a member of a special congressional committee that is supposed to monitor intelligence activities. "Intelligence agencies have conducted too many international operations on their own," he says, adding that "it isn't prudent to have an intelligence community as large and costly as our total operation is."

A Big Business

Spies aren't paid to publicize themselves, so

which "would be sufficient to impeach the President."

3-Page Hunt Letter Alleged

In addition, Mrs. E. Howard Hunt, on or about Nov. 30, 1972, in a personal conversation with me, stated that E. Howard Hunt had just recently dictated a 3-page letter which Hunt's attorney, William O. Bittman, had read to Kenneth Parkinson, the attorney for the Committee to Re-elect the President, in which letter, Hunt purportedly threatened "to blow the White House out of the water." Mrs. Hunt at this point in her conversation with me, also repeated the statement which she, too, had made before, which was that E. Howard Hunt had information which could impeach the President.

I regret that this memorandum has taken this length to set forth. In view of the nature of the information which I had to furnish, however, it appeared that there was no other way to adequately set this material forth, and to do so in the proper context, without deleting material highly relevant to the events being reported. I shall be glad to appear and answer questions under oath on the material which appears in this memorandum.



gathering facts about their business is difficult. An outsider can pick up only bits and pieces. Yet some things seem clear.

One is that the spy game is big. Democratic Sen. William Proxmire of Wisconsin contends the intelligence community employs 140,000 people and spends \$6.2 billion annually. Inside sources suggest the truth is closer to 100,000 employees and \$5 billion of spending.

Whatever the dollar total, the Pentagon spends some 87% of it, according to former Defense Secretary Melvin Laird. It operates the costly spy satellites that peer into closed countries, and it runs the NSA, which has both expensive electronics gear and highly paid technicians.

This means the CIA, despite its reputation, does relatively little of the snooping. Its budget now is less than \$750 million annually, and its corps of agents may be dwindling steadily. The Senate recently passed a bill allowing an extra 1,300 CIA retirements by mid-1974, with even more after that. Most of those scheduled for early exits seem to be clandestine operatives, often called "spooks," who have been toiling overseas. (Officially, those affected are primarily operatives "who have worked abroad on intelligence missions" for at least five years in service "hazardous to life or health.")

The military-civilian disparity indicates one of Mr. Schlesinger's bureaucratic problems. He has the legal authority, but the military has the money and manpower. Past CIA efforts to streamline the intelligence community's work have sometimes foundered for this reason. Mr. Helms, for example, reportedly didn't feel able to boss Secretary Laird. Now, though, it's claimed that Mr. Schlesinger has a clear mandate from President Nixon to shake up the system and that he has the necessary allies in the White House to do it.

One resulting change may come in the national intelligence estimates compiled regularly on such vital subjects as Soviet nuclear strategy, Chinese political stability or North Vietnamese battle plans. Too often these crucial reports have been verbose and equivocal, insiders say. Some officials say the reports are too bland to be useful. Others contend they're too long and detailed to be readable.

"Intelligence to Please"

Brevity is one expected result of current moves. Another is clearer indication of what the analyst expects to happen. There are dangers, however. The outcome could be oversimplification of complex subjects or "intelligence to please": telling officials what they want to hear.

The charge of cooking facts to fit the prejudices of senior officials has often been laid to the defense intelligence agency. Naval officers assigned there, for example, usually tend to exaggerate the threat posed by the Soviet fleet. Otherwise, they may never become admirals.

Now, military intelligence work is becoming more professional and less parochial, military men assert. "We've improved tremendously over the past three years," says a Pentagon intelligence official. But he concedes "we still have a way to go." Military studies of the Chinese army, for instance, count all its guns but still don't analyze its potentially more important political role. Mr. Schlesinger, says one friend, "wants not only to present the facts but also to present the likely options."

Another current objective is to cut costs. "There is much duplication and waste," says Congressman Nedzi, one of the few outsiders who has had a detailed look at intelligence operations. "More careful management can eliminate a great deal, such as by cutting down the number of intelligence targets." Mr. Schlesinger contends he will have "sufficient influence over those other components of the intelligence community to see to it that the amount of duplication is substantially reduced."

Critics claim the Pentagon now spends too much time and money on tactical intelligence, such as figuring out the deployment of Soviet forces in Eastern Europe, which can be learned accurately by satellites. Yet, for no clear reason, the Army doesn't normally get readouts from satellite snooping. Instead, "each headquarters in Europe is busily gathering such information, and none of it is as good as what we can learn from 100 miles out in space," says one source.

It's also claimed that U-2 and SR-71 flights still routinely collect intelligence on foreign governments' communications by radio and radar monitoring and that this operation duplicates interception by satellite. Apparently Mr. Schlesinger will likewise be trimming this category. (However, the flights can be useful for other purposes; the Pentagon recently sent high-flying SR-71 aircraft across Indochina to photograph Hanoi's illegal military deployments.)

Nikolai and Olga

Other communications interceptions may also be trimmed. The NSA's tapes of coded messages are often worthless. Modern codes are so complex and are changed so frequently that they can't be broken in time to give useful information to policymakers, if they can be broken at all.

Yet some communications intercepts remain invaluable while they last. In September 1971, columnist Jack Anderson reported the U.S. was eavesdropping on private conversations of "the kingpins of the Kremlin (as they) banter, bicker and backbite among themselves." He reported, among other things, that Communist Party Secretary Leonid Brezhnev sometimes drinks too much vodka while President Nikolai Podgorny once chortled "Olga! Oh ho!" as he discussed his masseuse. Information about Soviet policies and plans was also being collected, the columnist added.

And he was right. The CIA was busily monitoring the radiotelephone in Mr. Brezhnev's limousine as he sped around Moscow and out to the country for weekends, chatting with the boys back in the Kremlin as he went. Unfortunately, the column gave Russian counterintelligence agents enough information to figure out the monitoring source immediately, and the eavesdropping stopped.

"It was the best source we had," says one man who doesn't think kind thoughts about Mr. Anderson these days.

A prime target for change now is the clandestine intelligence activity that may include secretly collecting urine samples of foreign leaders to determine their health or (as in South Vietnam until recently) organizing assassination squads to bump off Communist agents.

Many experts have found clandestine work is unproductive. "The output is meager," says one man who often sees the results. "It just isn't impressive." But critics also believe that "dirty tricks" can harm American foreign policy. How could relations with China improve, for instance, when the U.S. was subsidizing guerrilla raids from Taiwan to the mainland or into Tibet in years past—raids that were often fruitless?

"The Old Days of Spies Are Gone"

The critical Mr. Marchetti claims that two-thirds of the CIA budget goes to clandestine operations rather than to more useful analytical work. Mr. Helms and many of his senior colleagues were originally World War II secret operatives who performed dirty tricks with derring-do, and they gave the CIA its bent for clandestine work. Critics claim that the former chief was bored with intelligence analysis and

NEW YORK TIMES

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Accent on Intelligence

By Lyman B. Kirkpatrick Jr.

would drop more pressing work whenever an old friend came along with details of the latest little escapade. Changing the balance is part of Mr. Schlesinger's assignment.

"The old days of spies and clandestine intelligence are really gone," concludes one of America's most distinguished ex-agents.

Yet not all clandestine work is useless or harmful, and few want it stopped altogether. "There are still lots of things we'd like to know and can't take pictures of with satellites," says one official. "For example, having a reliable account of (Soviet Defense Minister) Grechko's plans for his tank force is better than counting it from pictures."

And spooks can prevent diplomatic problems as well as cause them. When the U.S. rapprochement with China was in the early stages, the CIA learned that some Taiwan officials were considering sabotage. They talked about assassinating one or more members of the Peking Ping-Pong team that was then due to tour the United States. But Washington made clear that that would damage Taiwan's own interests, and as far as is known no such effort was made.

PROVIDENCE, R. I.—For the many who have served their nation in the Central Intelligence Agency, and have faithfully observed their oath to uphold and defend the Constitution of the United States both during and after their Government service, the Watergate affair is not only repugnant but disappointing and saddening.

The bill of particulars is damning. Two former staff officers and four other ex-employees of the C.I.A. were among those involved in the Watergate break-in. The agency, upon a request from the White House, helped in an operation against Daniel Ellsberg. The State Department, also on a request from the White House, provided classified cables to E. Howard Hunt Jr., convicted Watergate conspirator, who used them as background in an effort to smear President Kennedy. The persistent innuendos that the Watergate was actually a C.I.A. operation has rekindled fears that the "department of dirty tricks" was used to subvert domestic institutions.

In fairness to C.I.A. and other departments involved, the role of the White House staff should not be underestimated. It is not the custom of the bureaucracy to question a call from the executive offices. It is assumed that the President's people know what they are doing. While they may not inform the President of all details, it is usually believed they are operating under approved policy guidelines.

Traditionally, Americans have worried about a Federal bureaucracy cloaked in secrecy acting with impunity to enforce the wishes of an all-powerful executive. To many, the C.I.A. had become the epitome of this evil following the Bay of Pigs and accounts of operations involving the National Student Association and other United States-based foundations. Thus, to some the C.I.A. is solely the President's personal action arm.

Confidence in the C.I.A. is not enhanced when most of what one reads about it is bad. Presidential and Congressional statements about the agency usually are confined to cryptic expressions of confidence or reports of committee hearings in executive session.

Perhaps it all could be summed up in the question: if the C.I.A. trains its operatives to overthrow the governments of other nations, is it not possible that these same people might attempt to overthrow the Government of the United States when they disagree with its policies?

The presumption is that the C.I.A. is

engaged in a continual process of deposing governments unpopular with the United States. This is hardly true today. Evidence is accumulating that United States policy is maturing to accept other forms of government even though they might not conform to our criteria. While it has been acknowledged that the United States did succeed in changing a government in Guatemala, and failed in a similar effort at the Bay of Pigs, there is a growing conviction that such efforts are counterproductive in the long run and serve more to defeat than enhance United States policy.

An implied assumption to the question is that the C.I.A. decides what governments to overthrow. This is not, and never has been, the case.

The C.I.A.'s covert operations are undertaken only after approval by "higher authority." What is true is that C.I.A. operatives in the field and officers in Washington have influenced policy, and on occasion have acted independently abroad. The first instance reflects poorly on the policy level at State, Defense and the White House, and is obviously not the case today. When C.I.A. men in the field have acted too independently, the United States ambassadors sent them home.

The question assumes that the C.I.A. is training a breed of experts in subversion who will seek employment in the same field upon leaving the agency: an assumption seemingly confirmed by the Watergate affair.

Actually only a small and rapidly diminishing fraction of the C.I.A. personnel are engaged in political warfare, a dying remnant of cold war operations. Most C.I.A. personnel are in intelligence work: collecting, analyzing, estimating, supporting; and it is their unheralded efforts that are sullied and obscured.

The sordid mess of the Watergate re-emphasizes the necessity for tight controls over and persistent and critical review of all intelligence activities by the appropriate committees of the Congress. In my opinion the Congress has done a good job of checking on C.I.A. activities. But if the impression has been created that the C.I.A. is solely the action arm of the executive; then the legislature must assure us this is not so. In fairness to the nation, the President and the Central Intelligence Agency, the public must be confident that the C.I.A. serves the nation and serves it well.

Lyman B. Kirkpatrick Jr., professor of political science at Brown University, was a high-ranking C.I.A. official from 1947 to 1965.

BALTIMORE SUN
11 May 1973

Schlesinger to fill defense chief post

By ADAM CLYMER
Washington Bureau of The Sun

Washington—President Nixon shuffled his shaken administration again yesterday, moving four familiar, trusted and untainted figures into new jobs at the White House, the Pentagon and the Central Intelligence Agency.

He named John B. Connally, Jr., former treasury secretary and head of Democrats for Nixon, to be a regular but part-time "special adviser," serving without pay but continuing all his existing business and legal ties.

Mr. Nixon announced he would nominate James R. Schlesinger, who took over as the head of the CIA earlier this year, as secretary of defense. He would succeed Elliot L. Richardson, now seeking confirmation as Attorney General.

A career CIA official, William B. Colby, now the agency's deputy director for operations, was named to succeed Mr. Schlesinger as director of central intelligence.

And H. Fred Buzhardt, Jr., general counsel for the Pentagon, was designated a special counsel at the White House to take charge of the Watergate case and its effects there, including such matters as dealing with attorneys for White House aides now under investigation.

Finally, Mr. Nixon scrapped the "super-cabinet" plan announced with great fanfare in January by the now-departed assistant to the President, John D. Ehrlichman. He told all members of the Cabinet that he now wanted to deal directly and more frequently with all of them, and he abolished the posts of counselor to the President which he had bestowed on three of them.

These shifts were announced by Mr. Nixon at a Cabinet meeting, according to Ronald L. Ziegler, his press secretary, who in turn announced them to reporters.

Mr. Ziegler's announcement about Mr. Connally's duties emphasized that the former Texas governor, who joined the Republican party last week, and whom Mr. Nixon has sometimes touted as a successor in 1976, would not have "operational authority," but "will be available to the President when the President wants to call on him, and we assure

that will be frequently."

Mr. Ziegler said he also assumed Mr. Connally would be consulted on both foreign and domestic matters, and guessed that he would be spending something like three days a week at the White House.

Pressed on whether a conflict of interest would be created because Mr. Connally will continue to serve the President and his law clients and business interests, Mr. Ziegler said that would not arise "simply because he is an individual who is devoting his time to be available to the President to consult with him not on operational matters, or policy, direct policy decisions, but to be an overall special adviser to the President, someone the President can call upon to discuss general subjects which he may be interested in."

Later he said, "But then going beyond that, I'm sure that both men — certainly the President and Governor Connally — would in any of their discussions eliminate anything that would suggest the possibility of a conflict of interest." He offered the assurance repeatedly.

Asked if he would provide "a list of his business and legal connections at the moment," Mr. Ziegler replied, "Well, I think his law firm will do that."

However, Mr. Connally's secretary at the Houston firm of Vinson, Elkins, Searls, Connally and Smith, one of the nation's largest, declined to name either his clients or his directorships. She referred a caller to the firm's managing partner, A. Frank Smith. Questions were put to him through a secretary, but he did not respond.

However, from other sources it was learned that Mr. Connally serves on the boards of directors of Pan American World Airways; the First City National Bank of Houston (the country's 47th largest); the Texas Eastern Transmission Corporation, a major natural gas pipeline firm; the American General Insurance Company, of Houston; the Halliburton Company, parent of the Brown and Root construction company; Texas Instruments, Inc., and others.

He joined those boards since resigning as secretary of the

treasury June 12. He is also a partner in Ernest W. Hahn, Inc., a Hawthorne (Calif.), contracting firm.

His law firm represents Occidental Petroleum, and Mr. Connally accompanied Armand Hammer, head of the firm, to the Mideast early this year in connection with Saudi Arabian oil leases. Soon after that, President Nixon said Mr. Connally "has been traveling in his private capacity as an attorney, but he has, at my request, undertaken some informal discussions with leaders in various parts of the world."

Many of these firms have vast dealings with the federal government or come under its regulatory agencies. Pan American, for example, is seeking an extension of airline routes which will eventually come to Mr. Nixon for approval.

Mr. Ziegler, while never suggesting just what Mr. Connally would be advising Mr. Nixon on, did eventually rule out his discussing "operational matters such as oil policy and so forth."

In announcing the selection of Mr. Schlesinger, Mr. Ziegler said the President feels his "proven management expertise and wide knowledge of national security and defense affairs make him exceptionally well equipped to provide the strong leadership needed at the Department of Defense."

However, David Packard, former deputy secretary of defense, disclosed yesterday that he had been offered the post and rejected it, feeling that he should not again leave a family firm, Hewlett-Packard.

Mr. Colby, who was chief of the CIA's Far east section from 1962 to 1968 before going to Saigon to take charge of the Vietnam Pacification program, was praised by Mr. Nixon, through Mr. Ziegler, as "a highly qualified and thoroughly respected professional."

He added that the President was confident that Mr. Colby would carry through the controversial reorganization and trimming of the agency.

The three super-cabinet officials were James T. Lynn, Secretary of Housing and Urban Development and counselor for community development; Earl L. Butz, Secretary of Agriculture and counselor for natural resources, and Caspar W. Weinberger, Secretary of Health, Education and Welfare and counselor for human resources. Other Cabinet officers on the domestic side reported to Mr. Nixon through them. Mr. Ehrlichman said each would be "the pivot man to whom the President would look."

And Mr. Nixon said the plan, which paralleled Cabinet reorganization legislation he submitted first in 1970 but which the Congress has rejected or ignored, would help end "wasteful musclebound government in Washington" and replace it with "change that works."

The secretaries who were not counsellors were occasionally unhappy at the even-further reduced access to Mr. Nixon, and those who were had less time to run their own departments. Giving up the plan is seen here as another reduction of the "Berlin Wall" which Mr. Ehrlichman and another departed assistant to the President, H. R. Haldeman, were said to have built around Mr. Nixon.

And another obvious effect is to increase the relative importance of Kenneth R. Cole, Jr., who was Mr. Ehrlichman's deputy as executive director of the Domestic Council and whose position as a funnel for domestic policy is enhanced by the elimination of the super-cabinet posts.

WASHINGTON STAR
11 May 1973

GROOMED BY HELMS

Old CIA Hands Laud

Colby Move

BY OSWALD JOHNSTON

Star-News Staff Writer

Earlier this week the Central Intelligence Agency, still somewhat demoralized by the bureaucratic house cleaning ordered by its new director, James R. Schlesinger, was shaken by disclosures that the agency had helped Watergate conspirator E. Howard Hunt in an illegal domestic espionage mission.

Called to account in Congress, Schlesinger admitted the 1971 association with Hunt was "ill-advised" and promised such things would never happen again. And he strongly implied that his predecessor, Richard M. Helms, the career agent ousted from the CIA directorship early in President Nixon's second term, was partly to blame.

Today, with congressional hearings still pending, Helms' administration stands partly vindicated. With the sudden transfer of Schlesinger to the Pentagon, the new CIA director-designate turns out to be the very man Helms himself was quietly grooming as his successor: William E. Colby.

The announcement that Colby, a veteran agent who is the CIA's ranking expert on Vietnam, would step up to the directorship from his post as director of clandestine operations, drew uniform praise from old agency hands.

"S professional" was the way one old hand summed it up. The consensus was that no more fitting a successor to Helms himself could have been found — despite the bureaucratic house-cleaning Schlesinger had carried out in recent months.

Less reverently, Colby's coming could be described as the re-establishment of the "old-boy network" that has dominated the agency since its beginning in 1947 and which Schlesinger, for reasons of ideology as well as economy, had been instructed to dismantle.

A Yale graduate, a World War II alumnus of Gen. William (Wild Bill) Donovan's Office of Strategic Services who twice parachuted behind enemy lines, Colby, 53, is probably best known as an architect of the pacification pro-

gram in Vietnam in the late 1960s.

DETACHED from the CIA to serve under the controversial Robert Komer in Vietnam right after TET 1968, Colby quickly made a name for himself as the rare official in that frustrating, endless war "who always listened to what you had to say and always followed through when he promised something," as a province adviser who served under him recalled yesterday.

The pacification program, or Civil Operations and Rural Development Support (CORDS), despite the controversy that surrounded its counter-insurgency offshoot program, Phoenix, was one of the few American operations in Vietnam whose participants occasionally believed they were accomplishing something.

Phoenix, with its highly publicized and exaggerated body counts of Vietcong killed by its South Vietnamese operatives, gained a widespread reputation as an organization of political assassination. This could inject controversy into Colby's confirmation hearings in the Senate.

BUT FOR CORDS operatives in the field, little of that oort of reputation has rubbed off on the slight, bespectacled and self-effacing Colby who created little lore, and even close associates had trouble thinking of an anecdote to illustrate his style.

The most characteristic one perhaps was related by Colby's former boss Komer:

Colby, on loan to the State Department from the CIA, was extremely reluctant to inherit Komer's colonial scale house in Saigon and chauffeur-driven car when he took over as chief deputy in the CORDS program in November 1968.

He even felt uneasy with the title ambassador, Komer recalls, and agreed to accept the title, house and car only when it was pointed out to him that the

Vietnamese nominally running the program would think he was down-graded if the trappings of Komer's lifestyle were not maintained. "He still made one mistake," Komer recalled. "He didn't keep my Chinese cook."

HELMS, like Colby, stepped up to the CIA directorate from the directorship of clandestine operations.

Despite in-house elation at seeing an insider resume control at the CIA, informed observers feel that the main lines of the modernization Schlesinger began will remain — if only because Colby was virtually the only charter member of the old-line intelligence club to be promoted under Schlesinger's tenure.

"If he has the mandate to keep on cutting down staff, he'll do it," one associate from Vietnam days predicted. "He has that ruthlessness."

UNDER Schlesinger, a staff cut-back of five to ten percent of the agency's 15,000 employees was well underway, and during Schlesinger's first few weeks in office, a whole group of old-line professionals who had been close to Helms were fired.

The actual direction the Colby regime will take probably will not become known for many months. But a few surface indications could appear immediately if Colby decides in the name of professional tradition to undo some of the minute changes of style Schlesinger has ordered in his first few months as director.

Changing "plans" to "operations" was one. Another was even more symbolic: When you telephone the agency's central switchboard now, the operator no longer answers with a recital of the number you have just dialed. She says, "Central Intelligence." Such candor has been unheard of for the past ten years at least.

WASHINGTON POST
11 MAY 1973

'The Professional's

By Laurence Stern

Washington Post Staff Writer

"Call Helms and tell him to give Colby to Komer," Lyndon Johnson barked at his national security adviser, Walt W. Rostow, one day in the fall of 1967.

The Colby to whom the late President referred was William E. ("the professional's professional") Colby, who was nominated by President Nixon yesterday as new director of the Central Intelligence Agency to replace short-termer James R. Schlesinger.

The peremptory call from President Johnson to Rostow was made in the midst of a conversation between the President and his chief pacification advisor in South Vietnam, Robert W. Komer. "What do you need?" the President insistently asked Komer.

"I want a guy I can train as a successor," Komer responded. "I've got my eye on Bill Colby at the CIA."

Former CIA Director Richard M. Helms exploded when he learned of the unorthodox manner by which Komer had instigated the presidential demand for Colby's services. Komer recalled in an interview yesterday.

"I felt there was a war on and something had to be done," he said. "Dick calmed down once he got it off his chest. In fact he told me: 'You know I would have given you Colby if I had to.'"

"The professional's professional" was one admiring characterization of Colby.

"The complete *attaché*," was the more qualified description of an ex-foreign service officer who knew Colby during his long years of service in the Vietnam war. "He has lived his whole life in the clandestine service, and he came up through the ranks."

Stewart Alsop once wrote of the dichotomy within the Central Intelligence Agency as between the Bold Easterners and the Prudent Professionals. The first group was comprised of tweedy Grotonians with some money, social position and a touch of Anglophilia. They reigned in the pre-Bay of Pigs era.

In the second category were the professional intelligence men—specialists and technicians—who made their way on merit alone upward through the anonymous bureaucracy at Lang-

ley.

William E. Colby represents the triumph of the Prudent Professionals. He is a man of medium height and unobtrusive dress, Haspel rather than Brooks. "If he were a little taller he would look like a third Bundy brother," commented a Senate student of intelligence affairs.

Most of his professional life has been spent on the dark side of the intelligence world, the Directorate of Plans, known in the denigrative vernacular as "The Department of Dirty Tricks."

He was born in St. Paul, Minn., in 1920, the son of an Army officer. He was graduated from Princeton in 1940, and during World War II worked in the OSS under General "Wild Bill" Donovan, the most estimable of credentials for a young man who would make his career in the intelligence service.

Colby parachuted behind Nazi lines in France to work with the maquis and into northern Norway to blow up railway lines supplying German reinforcements.

But the centerpiece of his career was Vietnam, where he arrived in 1959 as "first secretary"—so described yesterday by a CIA spokesman—of the American embassy. Actually, as was well known in Saigon those days, Colby was the CIA's station chief in South Vietnam, and it was during this period that his long association with the war was first forged.

In 1962 he became chief of the Far East Division of the CIA's Directorate of Plans in Washington. The agency's role in the Indochinese conflict was paramount at the time, several years before the big U.S. military build-up.

The CIA organized an army of Meo mercenaries to battle the Vietnamese Communists in Laos. And in Vietnam the precursors of what was to be called the "pacification" program were being set into motion—the CT (counter-terror) units, the Revolutionary Development cadre, the Provincial Reconnaissance Units and then the controversial Phoenix program—all under CIA management.

[The Soviet Union said yesterday that Colby had been in charge of a program aimed at "physically exterminating" the Vietcong in South Vietnam.]

Colby was the working overseer, the Prudent Professional, in charge of devel-

Professional...

oping these programs and making sure that they worked. Whatever the failure or success of Colby's intelligence handiwork may have been, they produced controversy.

The critics charged that Phoenix and the other programs accomplished little else than visiting torture and assassination on innocents while antagonizing large segments of the Vietnamese population. The proponents claimed success, and buttressed their contentions with awesome statistical data which Komer reduced to computer printouts and passed on to Washington.

Colby returned to Vietnam in March, 1968, as Komer's understudy, and the following November too over the pacification job, which was by then under the jurisdiction of the State Department.

He lived during those three years alone in Kom-

er's spacious villa in Saigon and traveled out to the countryside almost every weekend, occasionally taking newspapermen or congressional VIPs with him. On occasions he would come back to Washington to testify on the successes of the programs for which he had been an architect and chief enforcement officer.

Colby's final stint in Vietnam ended in June, 1971, when he returned to Washington and disappeared into the CIA's sprawling home office at Langley, where he plunged into administrative work, a curiously sedentary role for the old intelligence warrior.

Last March he was named by Schlesinger to head the Directorate of Plans, where he had spent his life under various covers and often out in the cold.

Yesterday when he was named to the No. 1 spot there was cause for joy at Langley. One of their own had made it.

BALTIMORE SUN
10 May 1973

Kissinger in London for talks with Heath

By PHILIP POTTER
London Bureau of The Sun

London—Henry A. Kissinger, en route home from Moscow where he has helped prepare for Leonid I. Brezhnev's visit to the United States, arrived here yesterday for talks with British officials. He leaves for Washington tonight.

The U.S. embassy said he would meet with Prime Minister Edward Heath, Sir Alec Douglas-Home, the foreign secretary, and Sir Burke Trend, secretary to the Cabinet.

He is also to meet here with U. Alexis Johnson, who flew to London last night from Geneva where he is engaged in the second round of the strategic arms limitations talks. The two men are to get together today.

British officials have given a broad welcome to President

Nixon's initiative for improvement of the Atlantic alliance, but Dr. Kissinger's trip comes at a time when American prestige here has suffered because of the Watergate affair, which has been covered abundantly by both the British press and television.

It clearly has deepened British concern as to whether President Nixon can carry the American Congress with him in the series of negotiations coming up with the European nations on trade, security and monetary affairs.

An American Embassy source said "I think the American image here is as low as it's ever been in my time. There is concern over Mr. Nixon's ability to sell anything to Capitol Hill."

WASHINGTON POST
11 May 1973

James R. Schlesinger: To the Pentagon

Impatient Fact-Finder...

By Stuart Auerbach
Washington Post Staff Writer

Pentagon briefers have a shock coming when James R. Schlesinger takes over as Secretary of Defense: he hates the chart and slide shows that military men love, to use to make their points.

"Let's cut out that Pentagon baloney," he once told a retired Air Force colonel. "Just give me the facts."

That's Schlesinger in a nutshell: abrupt, impatient with superficial trappings and searching for facts: a man who knows the value of using shock tactics while trying to gain control of a sprawling federal agency.

In his four years and three months in government—almost the length of the Nixon administration—Schlesinger has been shaking up the establishment.

In 16 months as chairman of the Atomic Energy Commission he reorganized and transformed it from a promoter of nuclear power to a regulator of the atomic industry. And then, before he left for the Central Intelligence Agency, he persuaded President Nixon to pick another maverick, Dixy Lee Ray, as the new AEC chairman.

During the past four months he has put his im-

print on the CIA. He took the job as CIA director with a mandate from President Nixon to clean out dead wood and to end the bickering between the nation's intelligence agencies.

Schlesinger worked so hard at the assignment that when he came to work one day with a cast on his right hand a story went around the agency that he had broken it pounding on his desk.

The new director complained to Congress that the CIA is overloaded with over-age spies recruited during the Cold War who have trouble adjusting to today's more peaceful world. He began pushing early retirement for some and has started reducing the CIA's 15,000 employees by at least 10 per cent.

Moreover, he was appalled by some of the Mickey Mouse supersecrecy at "the agency."

He ordered switchboard operators to answer calls with "Central Intelligence Agency." Employees now answer the phone with their names or office identifications (such as Vietnam Desk) instead of merely repeating the extension number.

Schlesinger also has ordered the removal of signs identifying the CIA head-

quarters at Langley as a highway research station. He ordered new ones saying, "Central Intelligence Agency, Langley, Va.," installed.

Earlier, this week he brought a display of candor rare to CIA directors when he admitted to a congressional committee that CIA assistance in a burglary attempt on the office of Daniel Ellsberg's psychiatrist was "ill advised." He pointed out three times however, that it occurred while Richard Helms was director.

This didn't endear Schlesinger to the "old boy" network in the CIA.

One CIA veteran commented yesterday that "there wasn't a wet eye in the place" when word got out that Schlesinger was moving to the Pentagon.

He will not be among friends when he moves to the Pentagon either. During his two years with the Bureau of the Budget and its successor agency, the Office of Management and Budget, Schlesinger was an overseer of the Defense Department's money requests. He had a reputation for insisting that better management could save defense dollars.

In the Nixon administration's first year, his friends

report, he was personally responsible for trimming \$6 billion from the Pentagon budget.

"He had the hammer on the defense guys for more than a year," recalls a high-ranking Nixon aide. "He's made very few friends in the Pentagon."

Nevertheless, Schlesinger indicated recently that the era of cutting defense spending should end. In a little-noticed speech delivered last September when he was still AEC chairman, Schlesinger said:

"I am firmly persuaded that the time has come, if it has not already passed, to call a halt to the self-defeating game of cutting defense outlays... It is an illusion to believe that we can maintain defense forces adequate for our treaty obligations to, say, NATO and Japan, with sharp curtailment in defense expenditures supposedly directed only to waste and duplication."

Schlesinger first came to President Nixon's attention through his work as assistant director of OMB, when he headed a survey team that in 1971 evaluated the nation's intelligence network. The report recommended the sweeping reforms that Schlesinger was eventually to undertake.

NEW YORK DAILY NEWS
11 MAY 1973

CIA Chiefs: A Study in Contrasts

Washington, May 10 (NEWS Bureau)—James Rodney Schlesinger, a handsome, precise, pipe-smoking academic, will move into his fourth high-level national security post with the Nixon administration if he is confirmed as Secretary of Defense.

Schlesinger, 44, hardly had time to find his way around the labyrinthine corridors of the Central Intelligence Agency, where he took over as director last Feb. 2, before the President had plucked him away.

He was sharply critical yesterday of his own agency for what he called its "ill-advised" cooperation with a White House request for materials to be used against Pentagon Papers defendant Daniel Ellsberg. The CIA involvement in the burglary at the office of Ellsberg's psychiatrist came long before Schlesinger succeeded Richard M. Helms as CIA chief.

A Harvard Ph.D. and former senior staff member at the Rand Corp. think tank in California, Schlesinger joined the administration in its first month as Assistant Budget Director in charge of national security programs. He became chairman of the Atomic Energy Commission in August 1971.

Married since 1954 to the former Rachel Melinger, Schlesinger is the father of four sons and four daughters. They live in Arlington, Va.

* * *

William Egan Colby, 53, who succeeds Schles-

inger as director of central intelligence, is a long-time spy who for several years headed the controversial "Project Phoenix," a program of political assassination directed at suspected Communist leaders in South Vietnam.

Currently the deputy CIA director for operations—known as the "department of dirty tricks"—Colby vounteered for the Office of Strategic Services, World War II forerunner of the CIA, in 1943. After wartime service with the French resistance behind enemy lines, he obtained a law degree from Columbia Law School and joined a New York firm headed by former OSS director Gen. William J. (Wild Bill) Donovan.

He held a series of government jobs with the National Labor Relations Board and the State Department before he became chief of the CIA's Far Eastern division in 1962. In 1968, he returned to Saigon, where he had served as first secretary of the U.S. Embassy from 1959 to 1962, to head the U.S. pacification program in South Vietnam in the wake of the Tet offensive. His responsibilities included directing Project Phoenix.

A tough administrator with piercing blue eyes, he worked a man-killing pace and spent many days in the field in Vietnam.

Colby became controller of the CIA in January 1972, and deputy chief for operations last March 3. He is married and according to the CIA, has "a number of children" and lives in Bethesda, Md.

U. S. NEWS & WORLD REPORT, May 7, 1973

WHY "SPY" AGENCIES ARE BEING SHAKEN UP

Drastic changes are aimed at ending rivalries and improving the usefulness of U. S. intelligence. One result: Some inner workings are being disclosed.

The supersecret U. S. intelligence apparatus is being rocked from within on a scale never before so visible to the public.

What set off the tremor is a major overhaul, now in progress, of the machinery that produces the worldwide intelligence assessments on which crucial national decisions are based.

Under James R. Schlesinger, the new Director of the Central Intelligence Agency and overseer, also, of the vast U. S. information-gathering network—military as well as civilian—significant changes are being made. They have these objectives:

- To shake up the whole system and sharply improve its usefulness to the President and his top advisers.

- To process vital intelligence more effectively, at less cost.

Mr. Schlesinger cracked down on CIA, his home base, first. Now he is expected to focus on other parts of the intelligence community—military and civilian.

Payroll reductions. In the reorganization process, wholesale firings have occurred at the CIA—a cutback, sources say, of perhaps more than 1,000 of the agency's estimated 15,000 employees.

Some professionals assert that Mr. Schlesinger is bent on rooting out an "intellectually arrogant" clique that has been riding high in the CIA hierarchy for years.

Others counter that the chief purpose of the housecleanings is to enable the Nixon Administration to "politicize" the intelligence mechanism to its own ideological shape—and use Mr. Schlesinger to do it.

Both charges are vigorously denied by responsible people on all sides. Instead, the charges are cited as examples of the bitter bureaucratic infighting going on in Washington—and spreading into the intelligence system.

On one front, heated feuding between the CIA and the Pentagon's Defense Intelligence Agency—DIA—is out in the open.

Pentagon intelligence specialists, trying to regain control of assessing military threats to the U. S., are citing what they characterize as examples of blunders and bias by the CIA.

The military critics admit that their own mistakes a decade and more ago obliged the Government to turn to the civilian CIA for the main assessments on military threats. But now, the military men contend that DIA has been revamped, is more objective—and less of a lobby designed to scare Congress into voting higher defense budgets.

Against that background of turbulence, Mr. Schlesinger is moving to carry out the sweeping reorganization of the U. S. intelligence community originally ordered by President Nixon a year and a half ago—in November, 1971.

Knowledgeable sources say that Richard Helms, now Ambassador to Iran, was replaced by Mr. Schlesinger as CIA Director because he failed to carry out the overhaul mandate to Mr. Nixon's satisfaction.

A top man in the intelligence network put it this way: "The President and his national-security adviser, Henry Kissinger, just didn't think they were getting their money's worth."

The reorganization plan, in fact, is Mr. Schlesinger's own handiwork. He drafted it while serving as Assistant Director of the Office of Management and Budget. Later, he was named Chairman of the Atomic Energy Commission—the job from which he was transferred to his present post as America's "superspy."

Like Mr. Helms before him, Mr. Schlesinger is not only Director of the CIA but also Director of Central Intelligence—DCI. That makes him boss of all American intelligence operations.

New faces. One thing that Mr. Schlesinger has done is to put together what he calls the intelligence community staff, with offices on the top floor of the CIA headquarters building in a Virginia suburb of Washington.

Significantly, two military-intelligence experts have been assigned to that staff as Mr. Schlesinger's deputies. One is Maj. Gen. Lew Allen, of the Air Force, who has been nominated for promotion to lieutenant general. The other is Maj. Gen. Daniel O. Graham, of the Army, a career intelligence officer.

General Graham, who has been deputy director for estimates in the Pentagon's DIA, sounded a call in an article he wrote recently for "Army" magazine advocating reassertion of a dominant role for the military in estimating security threats. May 1 was set as the date of his move to Mr. Schlesinger's staff.

As the shake-up of the intelligence establishment continues, charges and countercharges are giving Americans a rare look at its inner workings and hot rivalries. For example—

- Military men are alleging that "bias" of top-level CIA evaluators colors final estimates sent on to the President and his aides.

One case cited by a critic of the CIA:

"An estimate entitled 'New Order in Brazil' was prepared as a basis for policy decisions. Use of the term 'New Order' in the title was like overprinting a Nazi swastika on the cover. It painted the blackest possible picture of the present Brazilian Government, making Brazil look like an imminent threat to the U. S. If the President had acted on that report, he would have cut all aid to Brazil."

- The CIA is accused of failing to use information it had in hand to alert the White House to Russia's acute food shortage last year. The point made is that the Soviets were able to negotiate a billion-dollar grain deal with the U. S. on terms favorable to the Kremlin—and unfavorable to the American housewife, who had to pay more for bread.

The CIA answers this charge by contending that the information was passed along to the Department of Agriculture, which, in the CIA view, failed to act on it promptly enough.

- A military intelligence official says that before the Soviet invasion of Czechoslovakia in 1968, the CIA director of estimates offered a report prepared for the President saying there would be no invasion. An aide, disagreeing, used various stratagems to avoid forwarding the report. The delay prevented embarrassment for the CIA when the Russians did invade, but, according to the

source, the aide who blocked the erroneous estimate "won no friends."

- In Vietnam, it is now revealed, CIA and DIA were often at odds. For instance, they agreed that some Communist arms were reaching South Vietnam through the Cambodian port of Sihanoukville, but both were "wildly wrong" on how much. But an official, not in intelligence, recalls that CIA was "much further wrong" than DIA—although each was on the low side.

- Another charge by critics of the CIA: After the Tet offensive of 1968, CIA reported Communists had seized vast portions of the countryside, because contact was lost with most sources outside the cities. This assumption was disproved by on-the-spot checks by DIA teams in helicopters.

An illustration of conflict between civilian and military analysts:

In a recent national estimate, the CIA took the position that Japan would never consider arming itself with nuclear weapons. The DIA argued that the Japanese were keeping abreast of nuclear technology and would not hesitate to "go nuclear" if Tokyo felt that was necessary for survival.

When the document was brought to Mr. Schlesinger, an insider says, the CIA analysts emphasized that they had put their views first, as the current position, and the DIA estimates were relegated to the back pages. Mr. Schlesinger was said to have "hit the roof" and to have ordered that the military view be given equal prominence.

- General Graham, in his writing in "Army" magazine, admits serious DIA shortcomings in the past. He charges that Pentagon intelligence has damaged its own status by inflating its estimates of threats to the "worst case" possible—

in order to get more money from Congress. He claims that this tendency has been largely eliminated.

• General Graham also charges that, in the past, military intelligence has been too prone to tailor its assessments to the need/"users" have for intelligence that "supports the program."

Assessing blame. In some instances, blame is being heaped upon both civilian and military intelligence agencies. One thing pointed out is that the entire U. S. intelligence community—despite warnings from some agents—refused to believe that Soviet boss Nikita Khrushchev would dare to risk putting offensive missiles in Cuba in 1962.

Khrushchev did just that, however, and the "missile crisis" resulted.

Some of the military intelligence experts now insisting on a stronger voice in the evaluation of raw data concede that, in the past, the armed forces have been supplied with exaggerated estimates of the Soviet threat—such as the "missile gap" of a decade ago that turned out to be nonexistent.

It is pointed out, however, that the DIA has had a thorough housecleaning in recent years.

"Time to reassert." In his article for "Army" magazine, General Graham wrote:

"... I think the time is ripe for the military profession to reassert its traditional role in the function of describing military threats to national security. Both the military user and the military producer of strategic intelligence have come a long way since the 'missile gap' days. DIA has hit its stride in the production of respectable military estimates."

Many CIA professionals in top and middle ranks are unhappy about the reorganization. A comment typical of this viewpoint:

"What is happening is that those who seek to present intelligence as it is, rather than as the situation is seen by those supporting specific policies, are being plucked out."

Aides of Mr. Schlesinger deny that he has any intention of "politicizing" the agency. They point out that at his confirmation hearing before the Senate Armed Services Committee he said he was deter-

mined to maintain the independence and integrity of intelligence evaluations.

Within the Nixon Administration, dissatisfaction with the CIA has centered particularly in the National Security Council staff, which is under the direction of Mr. Kissinger.

The main complaint has been that evaluations of raw intelligence often reflected the biases of top men.

To that, one CIA man retorts:

"We feel that we do a better job of evaluating raw intelligence without bias than the military does—or, for that matter, than people like Kissinger who are defending a specific policy."

The argument is made that—particularly since the days when the late Allen Dulles was its Director—the CIA's "controlling voice" in the intelligence community has sought intelligence estimates unaffected by the policies of the Administration in power, the Pentagon, the so-called military-industrial complex, or any other group.

Changes in the works. Whatever the merits of the arguments now boiling, drastic changes are being made by Mr. Schlesinger.

They include:

1. To reduce costs, overlapping intelligence agencies are to submit "bids" on operations that are assigned by President Nixon and the National Security Council. The Intelligence Resources Advisory Committee, set up under the 1971 reorganization plan, is to consider the competing "bids" and accept the least expensive if the bidder can convince the Committee that his agency can do the job.

2. Mr. Schlesinger is making it clear that he will exercise fully his authority over all of the intelligence services. In the past, this has been a difficult problem for the Director of Central Intelligence, because the Defense Department gets most of the money and most of the manpower.

3. As DCI, Mr. Schlesinger will decide which of the U. S. intelligence agencies—military and civilian—will carry out operations assigned by the White House.

4. Each agency is to be kept fully aware of what all the others are doing.

5. Cost experts are combing through all operations to determine how to use fewer men and spend less money.

"To be continued." Some projects are being phased out as inefficient or outmoded. One report indicated a sharp curtailment in clandestine operations. But an insider commented:

"They may not talk about these as much as they did, but like it or not, these activities are part of the way of life in the world today, and they will be continued."

One revision put into effect by Mr. Schlesinger has to do with preparation of CIA reports requested by the President and other high officials.

Condensed intelligence. Previously, such requests were answered with detailed studies—20, 30, or even 50 pages long. Now, the reports run no longer than three double-spaced pages. A CIA official explained:

"Instructions from Schlesinger are to answer the questions asked—and no more. No background. No historical discussion. Just keep in mind that the President or the Secretary of the Treasury or whoever else asks the questions is a busy man. He rarely has time to read long reports. What he needs is for use right now—today—in order to make a decision."

The telephone number of the analyst or working group responsible for the report appears on the document, so if more information is needed, it can be obtained without delay.

In line with Mr. Nixon's efforts to reduce federal spending, the intelligence agencies are under orders to reduce costs.

Just how much is being spent to piece together the information essential to national security is not a matter of public knowledge.

A 6.2 billion cost? Senator William Proxmire (Dem.), of Wisconsin, estimated recently that the cost of gathering military and civilian intelligence is 6.2 billion dollars a year. But Albert C. Hall, Assistant Defense Secretary for Intelligence, said that Mr. Proxmire's figure is "just plain wrong."

Without hinting at the actual figures, Mr. Hall said that the Pentagon's intelligence budget has been cut by about a third in the last three years.

Other sources say that manpower in the CIA and the other intelligence services, including the National Security Agency, now totals less than 125,000—a reduction of more than 25,000 since 1971.

Thus, a money crunch and diminished manpower are added problems at a time of sharp change and open conflict for the agencies which function as the "eyes and ears" of the United States around the world.

[END]

WASHINGTON STAR
11 May 1973
MARY McGRORY

Nixon Is Hit Where He Lives

The House of Representatives, playing Brutus to Richard Nixon's Caesar, dealt him "the unkindest cut of all" on a day of murderous slashes.

They told him to stop bombing Cambodia. It was the first Southeast Asia policy setback any president has sustained in the House in 10 years. No VFW post has supported Nixon more unquestioningly in whatever violence was afoot — bombings, minings, invasions.

His present domestic difficulties were not mentioned. He was, for the most part, reverently referred to as the Commander-in-Chief, whose hands should not be "tied," from under whom the rug should again not be yanked "precipitately."

In the cloakrooms, the Republicans murmured that it was "not the time" to let the President down. But blind trust has gone out of style.

The day had brought the indictments of two of his former Cabinet officers, John Mitchell and Maurice Stans, a pair he pointedly praised on election night. The Ellsberg trial had yielded up another of its routine sensations: An FBI bug on a former White House security aide. The President's former counsel, John W. Dean III, issued another scream about liars lately at large around the Oval Room.

The Democrats had sug-

gested, and no flip-charts were needed, that the moment had arrived to let Richard Nixon know that the House of Representatives is not his obedient servant, but actually a branch of the government.

The debate was a regurgitation of 10-year-old arguments. One more time, the hawks pleaded, we should bomb for peace. They shouted that the Communists — some of whom are now Richard Nixon's best friends — are "testing us." Delicate negotiations will be imperiled. The world is watching.

But they had lost their prized pawns, the troops and the prisoners. And the doves had picked up a valuable ally in Speaker Carl Albert, newly awakened to the witlessness of using BS2s as ambassadors to prop up a regime the administration privately admits is going to collapse anyway.

"Join not the multitude to do evil," cried George Mahon of Texas, chairman of the House Appropriations Committee and, until that hour, as feared in the House as Richard Nixon.

"Why not give him a little more time?" he begged.

But time is running out for Richard Nixon. When the tallies flashed on the new scoreboard on the walls, the doves cheered like basketball fans tasting their first victory. Thirty-six Republicans

were among the 219 who told Richard Nixon that he couldn't "transfer" Defense Department funds to finance the current round of slaughter from the air.

The President is also running out of men. His acute personnel shortage was being illustrated at the time the vote was taken. Elliot Richardson the square-jawed Yankee with the flexible principles, has been frantically switching from his barrister's gown as attorney general-designate to his brass hat as Defense secretary.

While he was dancing on the head of a pin with the Senate Judiciary Committee about his new duties as the supervisor of the special Watergate prosecutor, he was being quoted on the House floor as the Pentagon chief who needed a show of strength. If he is as tough on the Watergate as he has been on the war, Nixon officials will be blown up as relentlessly as Asian peasants.

At the White House, the President was shuffling the cards again, and putting old faces in new places. John Connally will be a White House counselor, and seems cast in the role of the Angel of Dien Bien Phu to tend the wounded and hearten the general in the surrounded fortress. Running for the White House from inside the water-logged Executive Mansion is a dubious venture, but Connally had no choice.

The President has rearranged around him the same kind of hard-nosed, cold-eyed men who got him in trouble in the first place. If he is a chastened man his choices do not say it.

J. Fred Buzhardt, the Pentagon counsel, was ferried over the river to become a special adviser on the Watergate. Buzhardt flatly refused to give a Senate committee the rules of engagement in the air war.

William E. Colby, now in state, the prospective CIA director, was the operator and defender of the infamous Phoenix program in Vietnam, a system of political assassination. James Schlesinger, who leaves CIA to become Defense secretary, will be questioned about Watergate defendant James McCord's allegations that Watergate was supposed to be palmed off as a CIA operation.

Richardson, speaking as secretary of Defense several days ago, had informed the House, with the contempt of Congress that is the mark of the true Nixonian, that it did not matter how they voted, that the Cambodian bombing would go on.

But it matters to Richard Nixon. It is a signal that the long spell has been broken. He was hit where he lives, in foreign policy. In fact, the only encouragement he gets these days is from abroad, from countries who tell us it would be a mistake to cancel Richard Nixon's grand design for running the world just because he couldn't handle the corruption that has all but inundated the Oval Room and made his presidency almost as vulnerable as Lon Nol's.

THE WASHINGTON POST

Tuesday, May 8, 1973

CIA Reportedly Set Up

By Jack Anderson

The Watergate ringleaders apparently used phony credentials, which the Central Intelligence Agency authenticated, during their spying-sabotage operations against the Democrats.

Trusted sources have told us James McCord, while he was preparing to bug Democratic Party headquarters, flashed CIA papers identifying himself as "George Russell." Those who checked with the CIA were assured "George Russell" was a legitimate employee.

Other sources close to the Watergate investigation say that G. Gordon Liddy may also have used the same

"George Russell" alias. These sources claim the FBI originally thought the Watergate break-in was a CIA operation.

The CIA, however, refused to cooperate with the FBI investigation. A memo, intended for FBI eyes only, reported: "It is recalled we specifically were requested by the CIA not to interview . . . two CIA employees, and instructions were issued to WFO [Washington Field Office] to this effect. One of the individuals had already been interviewed, and the second was not interviewed per the request of the CIA."

Another FBI memo, prepared for ex-White House Chief of staff H.R. Haldeman but never submitted to him, noted that Hunt and Liddy had "traveled extensively

Watergate IDs

around the United States contacting former CIA employees for the purpose of setting up a security organization for the Republican Party dealing with "political espionage."

Both E. Howard Hunt and McCord are ex-CIA agents.

When the FBI discovered Hunt was involved in the Watergate conspiracy, agent John Rule "telephonically contacted" presidential assistant Alexander P. Butterfield for an explanation. Our sources say he was the White House liaison man with the CIA. An FBI memo states that Butterfield informed Rule that "Hunt was used . . . on 'highly

sensitive, confidential matters' about nine months ago."

The first impulse of President Nixon's campaign chiefs was to blame the Watergate bugging operation on the CIA. Both Hunt and McCord balked at this suggestion and sent back angry word that they wouldn't "sit still" for this. They have testified under oath that Watergate was not a CIA operation.

But there is growing evidence of some kind of CIA involvement.

Footnote: Butterfield told my associate Joseph Spear that he doesn't remember being called by the FBI. He had "security responsibility" at the

NEW YORK TIMES
17 May 1973

Overseas Criticism on Watergate Mild

By BERNARD GWERTZMAN
Special to The New York Times

WASHINGTON, May 16—Although the Watergate scandals have raised doubts among some officials about President Nixon's ability to conduct a vigorous foreign policy, overseas criticism of the Administration has been light, and American foreign relations so far do not appear to have suffered significant damage.

A detailed survey by correspondents of The New York Times last week also indicated that despite heavy overseas news coverage of Watergate there has been no rise in anti-Americanism.

In fact, the contrary seems to be the case. Time after time, officials and newspapers have expressed admiration for the American system of checks and balances and for the doggedness of a free press in bringing the affair to light.

In Paris, for example, before Watergate there was a tendency to dwell on such stereotypes as the arrogant world power or the conspicuous tourist. But the Watergate affair has gradually provoked understanding discussion of the American system.

In some countries with a long tradition of corruption in high places, there were expressions of surprise that Americans could get so excited about Watergate. Wiretapping, bugging and "dirty tricks" are rather taken for granted by officials and politicians in Italy, and Italians are amazed less by the disclosures in the Watergate affair than by the violent reaction to the disclosures by the American press and public opinion.

These other points were made by the survey:

Two forms of allied concern have been voiced privately. European allies, for instance, have expressed apprehension that when Mr. Nixon meets with the Soviet Communist party leader, Leonid I. Brezhnev, next month, he may be so eager for agreements to offset the bad publicity of Watergate that he may "give away" too much. Saigon officials, worried that Mr. Nixon may be

White House, he said, but was "not aware" that he was a designated CIA liaison official. McCord couldn't be reached, and the CIA would say only that "McCord is a retired employee and normally would not carry current identification."

weakened politically, have voiced fear of a cut-off in American support if the Democratic-led Congress has its way.

The Soviet Union and China, which in the past would have seized on Watergate as "proof" of the decline of capitalism, have said nearly nothing about Watergate, in line with their improved relations with Washington. Some fairly bland articles have appeared in the East European press.

At Mr. Nixon's command, the American foreign policy machinery has been operating at capacity, despite — or as skeptics say, because of — Watergate. In addition to Mr. Brezhnev, Mr. Nixon will be meeting soon with President Pompidou of France and still plans to visit Europe and Latin America this year. Although Congress is rebuffing him on the bombing of Cambodia, his adviser on national security, Henry A. Kissinger, has gone to Paris for new talks with Le Duc Tho, Hanoi's chief negotiator, on cease-fire violations: The survey indicated no impairment of American Embassy operations because of Watergate.

Although Mr. Nixon is not a popular figure abroad, his foreign policy achievements have been widely admired, and this has led to expressions of concern in such places as Israel over what the future might bring if he were forced to leave office.

In many parts of the world, the Watergate affair has been a major source of safe conversation. Nowhere is this the case more than in South Vietnam. There, despite Government apprehension about the impact of the scandal on American aid, the press has been having a field day, noting that the United States is no less corrupt than Vietnam.

Vietnamese seem to love intrigue, mystery and complex and surreptitious organizations. They feel there is something almost Vietnamese about the way Watergate has unraveled itself.

A country-by-country breakdown of the survey follows:

Argentina

Largely because of the attention focused on the recent election victory of the Peronists and the friction among the Peronists, the military and urban guerrillas, Watergate has been virtually ignored in the press and in official circles. Even militants with a passionate interest in politics show no interest in it.

There is no sign that Watergate will affect relations between Argentina and the United States, and Secretary of State William P. Rogers, now on a Latin-American trip, will arrive as planned on May 24 for the inauguration of Héctor J. Cámpora as President. For much the same reason—absorption in domestic matters—Watergate has not received much attention in Chile either.

Britain

Watergate is viewed with extreme seriousness at the highest levels. Prime Minister Heath and his aides like Mr. Nixon and want to see him remain in office. They would like to see him emerge less tainted than he now appears to them.

Officials fear that as a result of Watergate, Mr. Nixon's relations with Congress will deteriorate and that the President will not get the trade bill that would allow him the leeway Europe wants him to have in the negotiations later this year.

Moreover, there is some private concern that Watergate has weakened Mr. Nixon's bargaining position with the Russians.

One British diplomat said: "It would be a real disaster for the world if Nixon had to resign. His strength has been in foreign affairs, building new relationships with the Soviet Union and China. Can you imagine where we would stand if Agnew had to pick up the pieces?"

But so far, British and American officials are agreed that American foreign policy has not been damaged. The press covers the spectrum of opinion, and British interest seems to be growing, but it does not always seem to grasp the complexities.

The general feeling most often heard is one of embarrassment and sadness that the United States again seems to be tearing itself apart. There does not seem to be a great sense of alarm over what has happened or any surprise that American politics sometimes gets dirty.

Cambodia

There has been little reaction to Watergate in Cambodia even though the Cambodian bombing has become a major test of strength between Mr. Nixon and Congress. Some officials have expressed concern that Mr. Nixon "might be forced to soften his hand in Indochina," to reduce support of Cambodia, but this is not a new fear.

Some observers in Cambodia believe that the Congressional reaction — whether due to Watergate or not — may put very strong pressure on President Lon Nol to make a deal with the Communists.

Canada

There has been no official reaction to Watergate, but press coverage is nearly as extensive as in the United States, and dominates the news. It is overwhelmingly an expression of shock and dismay, a favorite reaction of Canadians to shortcomings of their big, powerful neighbor.

Since Mr. Nixon has never been popular with Canadians, they tend to find him rather than the Presidency, or the American system vulnerable. Canadians believe that a Watergate couldn't happen to them. "It's not because we're superior

to American politicians," one politician said, "it's just that we can't see any circumstances in which it would be worthwhile to bug the headquarters of our opposition party."

China

Although the Chinese press has not carried a word about Watergate, there have been summaries of foreign press reports in the special limited-circulation bulletin supplied to officials throughout China.

Recent visitors from Peking said that Chinese officials were interested but not markedly shocked by the Watergate revelations. They were said to take the view that it was an expected development, given the basic weakness of the capitalist system. The failure to publish any articles reflects the general low-key approach to the United States, in line with the improved relations and opening of the liaison offices in Peking and Washington.

Chinese Communists in Hong Kong have resisted the temptation to tease or ridicule Americans. They seem to take the position that it is an internal affair of the United States.

France

Although France objects strongly to many of Mr. Nixon's foreign-policy proposals, particularly those dealing with the "new Atlantic charter," French officials seem to regret the Watergate affair and wish it would go away and leave Mr. Nixon to be argued with and criticized in terms of foreign policy.

So far, Watergate has had no impact on French-American day-to-day relations, with plans proceeding for Mr. Pompidou's meeting with Mr. Nixon. This does not mean that the subject will be ignored in their discussions, but rather that it will have a subtle influence on the climate.

Some officials believe Watergate will weaken Mr. Nixon in his dealings with both West European and with the Russians. But a view becoming more dominant is that Mr. Nixon's internal problems are going to strengthen him in foreign affairs because he will be able to use them to his advantage. One point is that he can argue to foreign leaders that Congress is going to be much tougher on bargains than he is, and that if the French press him too hard for concessions, they must understand that he is in too much trouble with Congress to pull the concessions through the legislature.

The French seem reluctant to try to take advantage of Watergate because relations with the United States remain of primary importance.

Press reaction is heavy, but divided. Some publications refer to Watergate as a passing episode, while opposition papers, seeing similarities with the French Government, draw morality lessons from the secrecy and corruption.

West Germany

Chancellor Willy Brandt was in Washington when Mr. Nixon made his speech accepting responsibility for Watergate, and

Mr. Brandt has told intimates that he was "shaken up by it."

The Germans believe—but Americans deny—that Mr. Brandt won concessions in the final communiqué because of Watergate and this had led to concern that Mr. Nixon might have to make even more serious concessions to the Russians.

Press reaction is heavy, and tends to the extreme. The German papers are saying, in essence: "Nixon must have known, and if he did, what will happen now, and he must somehow make a clean breast of it."

The American Embassy in Bonn said Watergate had not hampered its work, but one official said, "We have a feeling that there's nobody holding the reins back there."

Ordinary Germans do not seem to understand, care about, or otherwise take much interest in Watergate, partly because of its complexity and partly because it looks too much like European scandals.

India

President Nixon has never been popular in India and Watergate has not improved his image. But so far there has been no official comment, and relations do not seem to have been affected.

However, the Indian press has seized upon the scandal to compare the way political corruption is exposed in America and kept hidden in India.

Recently Prime Minister Indira Gandhi has criticized Indian newspapers for their anti-Government comments and she has even questioned the propriety of allowing such criticism.

As a result many Indians have emphasized that their country should draw lessons from Watergate. "The Government of the most powerful nation of the world was not powerful enough to emasculate its press," one Indian commentator wrote. "It is this independent press that is the biggest guarantee against both executive excesses and political immorality, the two main threats to democracy."

Israel

The Watergate affair has created a widespread shock in Israel. It has generated genuine concern among officials who have always believed that Israel's best friend in the United States has been the President, a feeling dating to 1948 when Harry S. Truman recognized Israel's independence despite State Department recommendations against it.

Because of this, and because of the close working relationship that has been established between Prime Minister Golda Meir and Mr. Nixon, officials here see Watergate as fraught with potential consequences for Israel.

"Anything that threatens Nixon's prestige and influence threatens us," an Israeli official said. There is also fear that Mr. Nixon might make a deal with Brezhnev at Israel's expense.

There is considerable praise for the American press and for the judicial system.

From ordinary Israelis, one

hears a mixture of praise and amazement at the resiliency of the American system, at the system's ability to absorb such a shock, purging itself and continuing. If anything the Watergate affair seems to have deepened respect, for the United States and its political system.

Italy

Watergate has created considerably less stir in Italy than in other European countries. In fact, Italian officials are privately criticizing the American press for "creating" a scandal, implicating the Presidency and

causing a Constitutional crisis with potentially far-reaching international consequences.

Behind this attitude is a cynical assumption that governments will misuse their power, and that a certain level of skulduggery is part of the game.

In a current scandal in Italy, many facts are still hidden, and liberal papers are comparing the house-cleaning in Washington with the reticence in Italy.

Japan

The Japanese press has given heavy coverage to Watergate, but so far the impact on the country has been limited. Although American prestige has diminished in Japanese eyes, the American press and American Congressmen have won considerable respect and admiration.

Undoubtedly, if the scandal continues, observers in Japan assert, some doubts may arise in Japanese Government and financial circles about the "reliability" of the United States. But so far there has been no direct effect on relations, and both the White House and the Foreign Ministry today announced that Prime Minister Kakeni Tanaka would begin talks in Washington July 31.

South Korea

As a country that depends on American support, South Korea fears that the Watergate turmoil may spill over into actions affecting its security, such as a withdrawal of American forces.

A responsible Korean official said: "This is strictly an internal affair of the United States. We are sympathetic with the Nixon Administration over such a misfortune and are hopeful that the case will be settled soon. The affair does not affect the traditional strong friendship between Korea and the United States at all.

The South Korean newspapers played up the Watergate story for a week. Then, at the request of the Seoul Government, they began giving it less attention.

Because of restrictions on freedom in South Korea, many people have increased their admiration for American democracy.

Laos

Prime Minister Souvanna Phouma recently told friends that Watergate came at "an extremely dangerous time" for all of Indochina. As he sees it, Watergate is likely to undercut American readiness to react to Communist pressure.

Specifically, he believes that military support for neighbor-

ing Cambodia, including air support, may be in imminent danger. He believes that without the current level of American support, Cambodia is likely to fall quickly, and that this will have disastrous effects on both Laos and South Vietnam.

Soviet Union

Because of its developing, closer relationship with the United States, the Soviet leadership decided to suppress news of the Watergate affair—although an article did appear today in a weekly publication.

The Russians are said to feel that publicity may lead to questions in the public mind of how Moscow could want to become so friendly with a corrupt Government.

There have been questions at public lectures, however, stemming from foreign broadcasts about the affair. In one case, a lecturer merely said that Mr. Nixon had to replace some officials tainted by an election scandal. End of explanation.

Privately, Soviet officials are concerned about the impact, particularly Mr. Nixon's ability to get Congressional approval of trade concessions promised last year. Mr. Brezhnev, however, has decided to come to

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WATERGATE POSES PUZZLE IN CANADA

By JAY WALZ

Special to The New York Times

OTTAWA, May 6—Canadians, who often say half-seriously that they know American history better than their own, simply do not understand the Watergate affair.

A visitor, if he is known to be an American, cannot walk a half-block in the national capital without being stopped two or three times to be asked about it. Not so much about what he knows, for the newscasts are full of Watergate, but about what he thinks about it.

"How could it happen and the President not resign?" is the question that is asked dozens of times.

It has to be explained, but never too convincingly, that the Canadian and British systems of government differ from that of the United States. While a scandal might bring down a Prime Minister, guilty or innocent, it has never brought the downfall of a President, who is elected for a fixed four-year term.

Yet it is difficult for Canadians to understand that there is no tradition of Presidential resignation.

In this aspect, the conservative Ottawa Journal discovered "an unpleasant mix of naiveté, sanctimonious hypocrisy and nasty vindictiveness" in the attitude of Canadians. The editor reminded readers that "it is a part of fallen human nature to have a morbid weakness for scandal."

Certainly the newspapers

Washington anyway.

Obviously, the trip to the United States is part of Mr. Brezhnev's diplomatic offensive. Postponement might have encouraged those in leadership who oppose rapid moves toward improved relations.

South Vietnam

There has been widespread popular interest in Watergate in Saigon, reflected in large newspaper headlines day after day, talk in coffee shops where politicians gather, and in Government offices.

Some South Vietnamese have seized upon Watergate to vent anti-American feelings, noting that Americans have long criticized them for corruption. But some Vietnamese, particularly those educated in the United States, see Watergate as evidence of the basic strengths of the American political system. One young official said, for instance, "America can rightly claim to be the champion of freedom and democracy."

The greatest impact may fall on future aid to Saigon. Some South Vietnamese fear that the Communists may seize Watergate as an opportunity for a new offensive.

here and in Toronto, Montreal and points west have been reporting and dispalying every Watergate development with enthusiasm. The story has topped all local happenings, from the new higher Ontario sales tax to the Montreal-Chicago hockey playoffs.

The talk in bars is rich with recollections of Canada's own political scandals, but the Canadian Prime Ministers always "came clean" in the House of Commons and none ever lost his job, at least directly.

Eight years ago the opposition Tories made the most of a series of Quebec jail breaks, involving a notorious narcotics smuggler, to embarrass the Liberal Prime Minister, Lester B. Pearson. Then, the exasperated Liberals uncovered the five-year-old Gerta Munsinger affair in which members of the cabinet of the former Conservative Prime Minister, John Diefenbaker, had been revealed consorting with an alleged onetime German prostitute.

Neither Prime Minister resigned, and today these incidents do not loom large when mentioned alongside Watergate, which, as seen from here, is "one of those larger-than-life American spectacles that couldn't be duplicated in Canada."

However, if Watergate could not happen in Canada, "it's not because we're superior to American politicians," a Conservative party veteran cautioned a group of countrymen. "It's just that we can't see any circumstances in which it would be worthwhile to bug the headquarters of another party."

But Dalton Camp, former national president of the Progressive Conservative party, says, "It's the sort of thing that can happen to any political party embarrassed by a surplus of campaign funds and looking for

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How the World Looks at Watergate

It was a cloudy, complicated story, and if Americans had trouble understanding Watergate at first, the rest of the world hardly even tried. But with the orgy of lurid disclosures, the housecleaning at the White House and the prospect of even more bizarre twists to come, Washington's allies and adversaries suddenly awakened to the potential global implications of the scandal. Sensational headlines splashed across front pages of papers from Hong Kong to Hamburg and from London to Lagos. In one week, the three leading European newsmagazines all put Watergate on their covers. And their headlines sounded a sobering theme: *The Economist*—A QUESTION OF AUTHORITY; *L'Express*—THE SCANDAL THAT SHAKES AMERICA; and *Der Spiegel*—THE NIXON SCANDAL.

The reaction came in a Babel of discordant voices. But as might be expected, much of the speculation centered on the question of just how much Richard Nixon was personally involved in the Watergate affair and its cover-up. In many cases, the judgment was harsh. Right-wing British columnist Peregrine Worsthorne called the President's speech (seen live on BBC) "shameful and revolting" and said that he feared for America's future under Mr. Nixon's leadership. The Hong Kong Standard editorialized: "If some are prepared to accept the President's solemn pledge, they must still nurse serious doubts about his intelligence in the choice of his aides." And even some foreigners who rose to Mr. Nixon's defense hardly did the President any service. Echoing a disturbingly widespread theme around the globe, one Thai Foreign Ministry official remarked: "Nixon only did what was right. He's the government, and it's the government's duty to see what the opposition does. The liberals in America call it bugging, but Nixon was only being vigilant."

Other observers were more charitable. The sober Times of London reminded its readers of Mr. Nixon's achievements in foreign affairs and added: "The rest of the world must be expected to see these great affairs as more important than Watergate." And for the record, most governments would only say that as far as they were concerned, Watergate was an American domestic matter.

Cheers: A number of foreign observers thought the affair demonstrated the strength of American democracy. They applauded a system in which independent courts and press and legislature had the power to expose a scandal touching

the highest office in the land. "Watergate," said the *Jornal do Brasil*, "proves democracy has the resources to expurgate itself in public and with sound legal defense for the accused." The *Rand Daily Mail* of Johannesburg praised The Washington Post's investigative reporting as a sign of the value of a free press: "[The Post,] through its persistence and courage, has now exposed a major political scandal—perhaps the most serious in American history—which otherwise would have passed unnoticed."

Oddly enough, the gentlest reaction came from capitals that would have had a propaganda field day with the scandal only a short time ago. While playing up Communist Party chief Leonid Brezhnev's trip to Washington next month—and taking an extraordinarily friendly line toward America (page 52)—the Soviet press all but ignored Watergate. *Pravda* passed up any mention of the resignations of H.R. Haldeman and John Ehrlichman and only briefly noted that L. Patrick Gray III had quit as the acting director of the FBI. Moscow simply had too many more important fish to fry with the U.S.—in the form of future grain deals and expanded trade—to risk propaganda fun with Watergate.

Reputations: Peking, too, found its options limited, and the Chinese were keeping up a rigid news blackout on the scandal. While they have fewer specific projects going with the Americans than the Russians do, Premier Chou En-lai and others have bet their political reputations on increasingly friendly ties with the U.S. As one China watcher in Hong Kong put it: "If Nixon's name is smeared in the eyes of the Chinese public, Chou En-lai's critics may begin asking some very tough questions."

For Moscow and Peking—and for much of the rest of the world—the key question was how much impact would the Watergate scandal have on the conduct of American foreign policy. Some optimists overseas took comfort from the fact that the Administration's foreign-affairs apparatus had so far been untainted by Watergate. But as some governments saw it, Richard Nixon had been so fundamentally shaken by the Watergate affair that it was unlikely he would be able to act with the same calculated unpredictability that had become his trademark.

Vietnam: The major test of Mr. Nixon's resolve might come in Indochina. Though Russia and China do not want a direct confrontation with the U.S., neither of them has exerted much pressure on Ha-

noi to go along with the Vietnam peace agreement. And some South Vietnamese—as well as many State Department officials in Washington—fear that the North Vietnamese might now decide to test Mr. Nixon's willingness to retaliate in Indochina by launching an all-out offensive. That may have been in the cards, Watergate or no, but the men in Hanoi could now reason that they have more room to experiment with a weakened President.

America's allies in the Western alliance had similar worries about the erosion of Presidential power. Western Europeans contended that a President at the mercy of an irate Congress and a disenchanted public would have a hard time negotiating such delicate matters as trade policies and monetary reform—and might give in to political pressures to reduce American troop strength on the Continent. At the same time, West German analysts were doubtful that the U.S. proposal for a "New Atlantic Charter" (*NEWSWEEK*, May 7) would get off the ground smoothly. "The credibility of the President has so suffered that his influence in Congress is sensibly weaker," noted Theo Sommer, editor of *Die Zeit*. "The question [asked] by serious observers is whether the Nixon Administration, shattered by the Watergate scandal, is at all able to deliver the goods on foreign policy."

Hubris: That depends largely on where the explosive scandal goes from here. If the dust begins to settle, most experts believe that the damage to U.S. foreign policy can be repaired. Some American diplomats even believe that the Watergate affair will have beneficial side effects. "This Administration was so overcome with its own hubris that it never learned that foreign policy needs to start with a sympathetic understanding of the other guy's problems," says one career officer in Washington. "Now, it's possible that our policy will be marked by more intelligence, fewer bold initiatives and a softer touch."

If the scandal reaches into the Oval Office itself, however, the international repercussions would be incalculable. "If it comes to the point where the President has to resign or is impeached," says one European diplomat, "the world would have to stop and take a deep, deep breath. SALT, trade, Indochina—you name it and Richard Nixon has been at the center of it." Things had not yet gone that far, but it was clear that Mr. Nixon's friends and foes alike around the world had already begun thinking the unthinkable.